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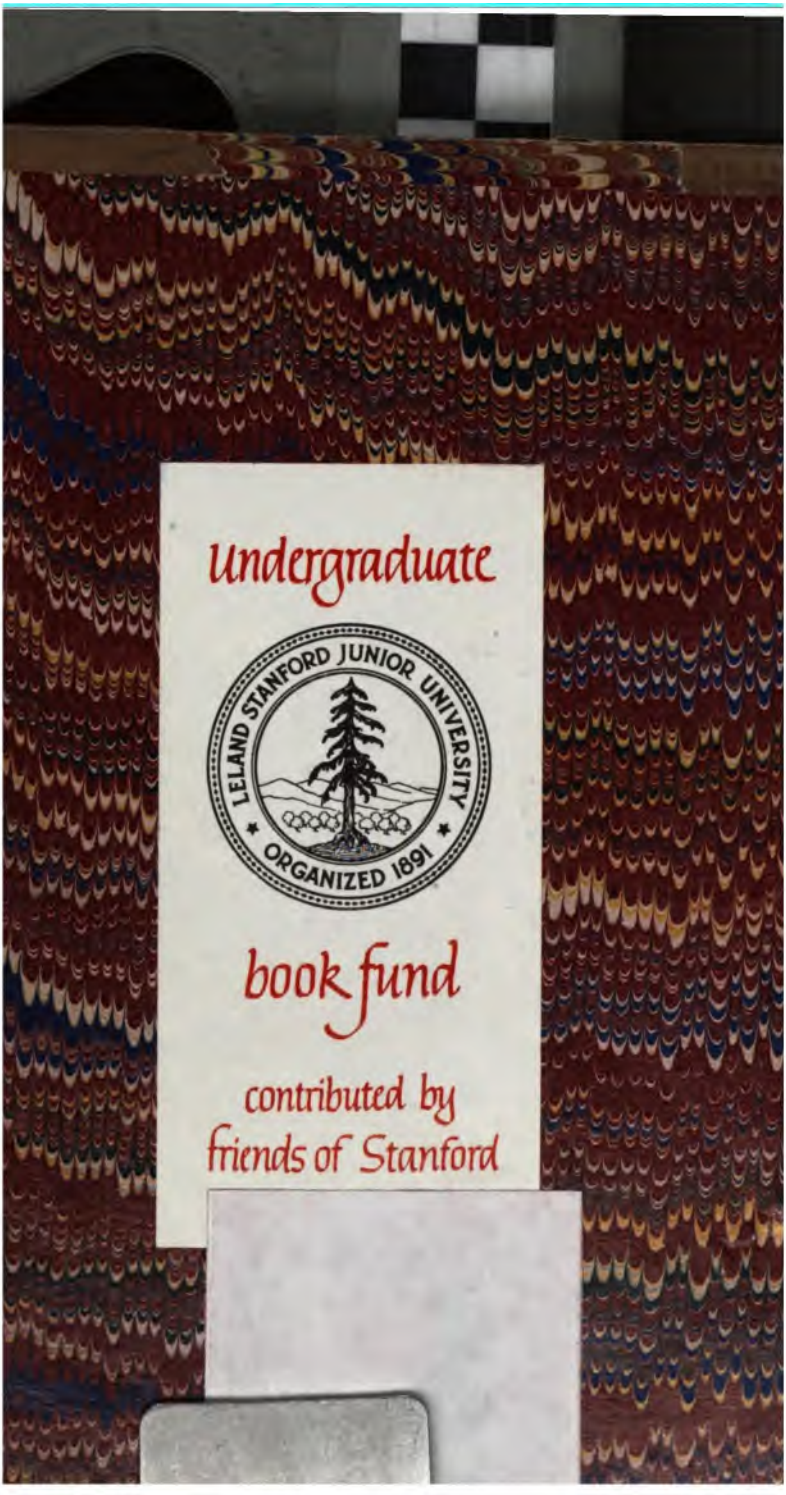
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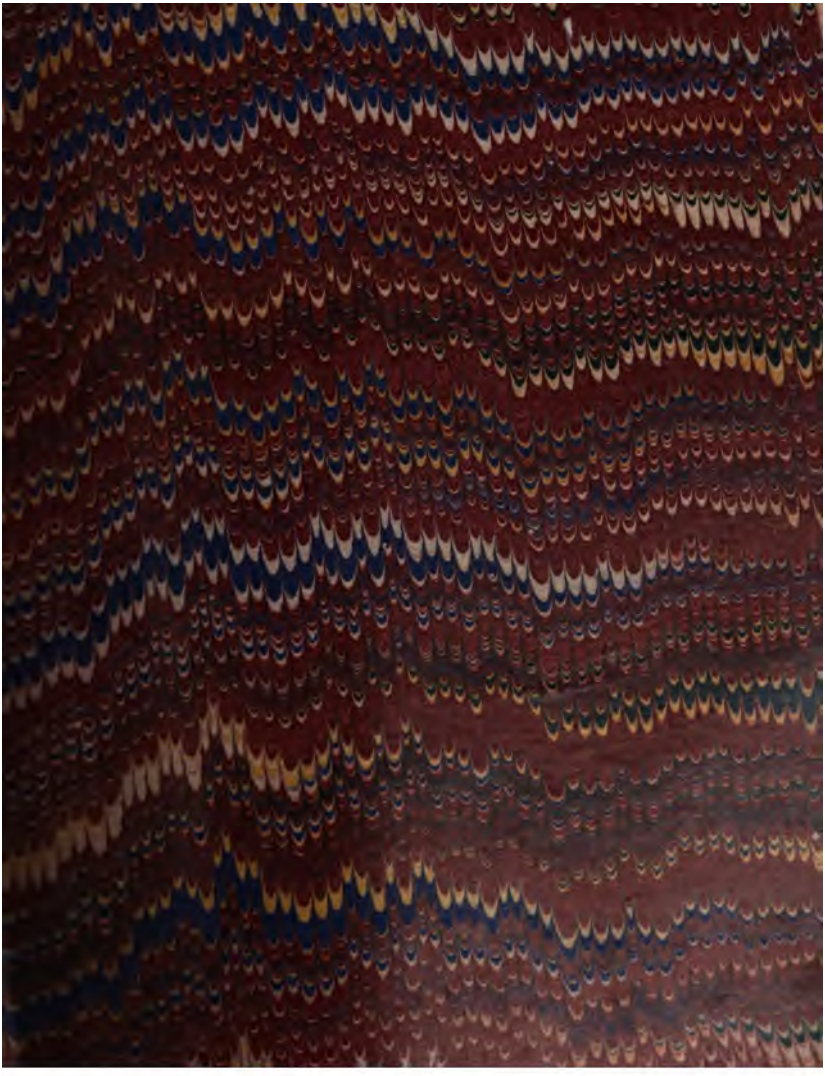
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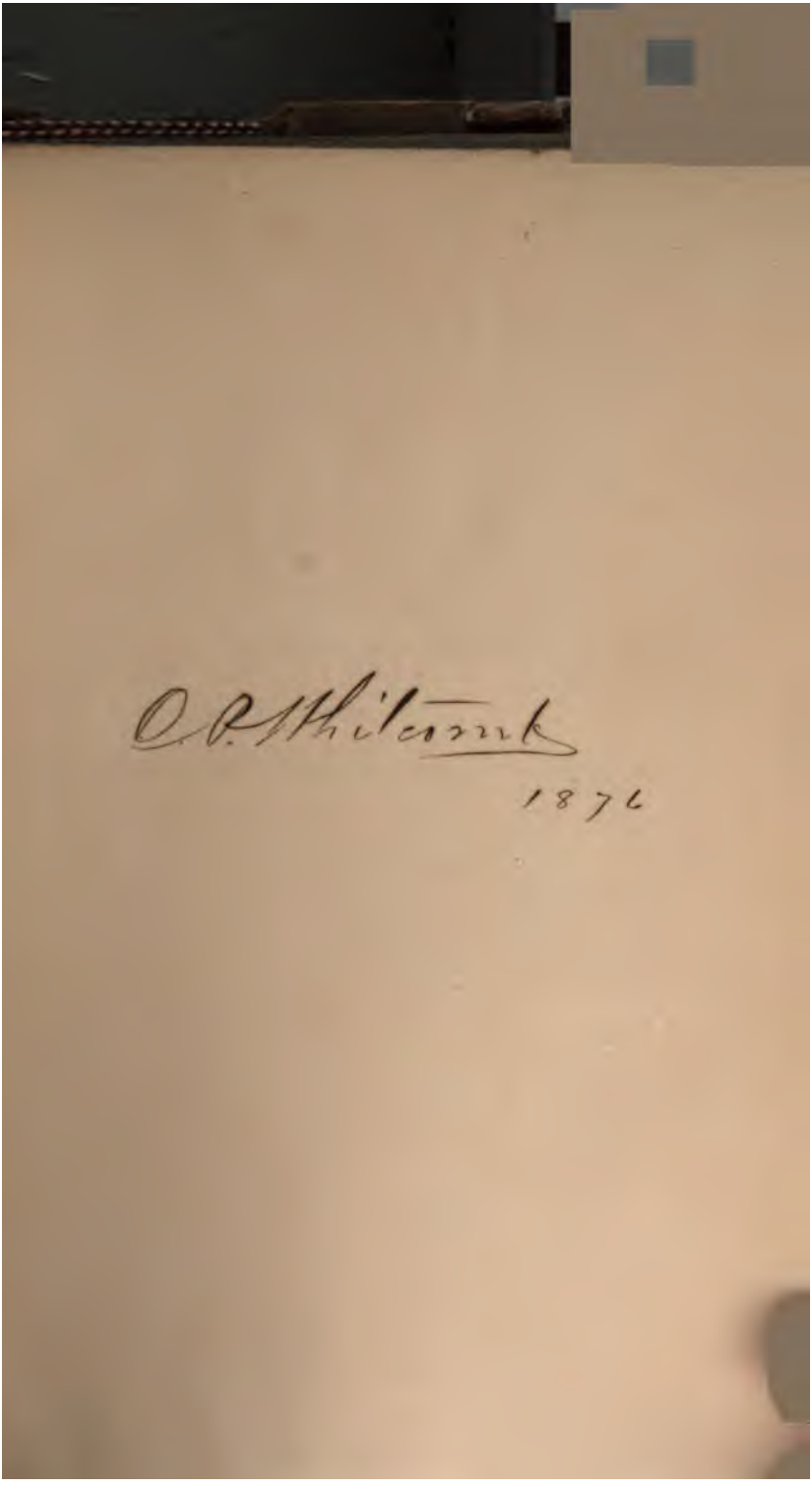
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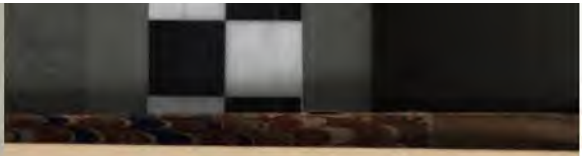
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OF THE

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FROM

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BY

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THE

AMERICAN REVOLUTION.

EPOCH FIRST.

THE OVERTHROW OF THE EUROPEAN COLONIAL SYSTEM.

1748–1763.



THE OVERTHROW

OF THE

EUROPEAN COLONIAL SYSTEM.

CHAPTER I.

AMERICA CLAIMS LEGISLATIVE INDEPENDENCE OF ENGLAND.
PELHAM'S ADMINISTRATION.

1748.

In the year of our Lord one thousand seven hundred and forty-eight, Montesquieu, wisest in his age of the reflecting statesmen of France, apprised the cultivated world that a free, prosperous, and great people was forming in the forests of America, which England had sent forth her sons to inhabit. The hereditary dynasties of Europe, all unconscious of the rapid growth of the power which was soon to involve them in its new and prevailing influence, were negotiating treaties among themselves to bring their last war of personal ambition definitively to an end. The great maritime powers, weary of hopes of conquest and ignorant of coming reform, desired repose. To restore possessions as they had been, or were to have been, was accepted as the condition of peace; and guarantees were devised to keep them safe against vicissitude. But the eternal flow of existence never rests, bearing the human race onwards through continuous change. Principles grow into life by informing the public mind, and in their maturity gain the mastery over events; following each other as they are bidden, and ruling without a pause. No sooner do the agitated waves begin to subside, than, amidst the formless tossing of the billows, a new messenger from the Infinite

1748.

Spirit moves over the waters; and the bark which is freighted with the fortunes of mankind yields to the gentle breath as it first whispers among the shrouds, even while the beholders still doubt if the breeze is springing, and whence it comes, and whither it will go.

The hour of revolution was at hand, promising freedom to conscience and dominion to intelligence. History, escaping from the dictates of authority and the jars of insulated interests, enters upon new and unthought of domains of culture and equality, the happier society where power springs freshly from ever renewed consent; the life and activity of a connected world.

For Europe, the crisis foreboded the struggles of generations. The strong bonds of faith and affection, which once united the separate classes of its civil hierarchy, had lost their vigor. In the impending chaos of states, the ancient forms of society, after convulsive agonies, were doomed to be broken in pieces, and the fragments to become distinct, and seemingly lifeless, like the dust; ready to be whirled in a deadly sand-storm by the tempest of public rage. The voice of reform, as it passed over the desolation, would inspire animation afresh; but in the classes whose power was crushed, as well as in the oppressed who knew not that they were redeemed, it might also awaken wild desires, which the ruins of a former world could not satiate. In America, the influences of time were moulded by the creative force of reason, sentiment, and nature; its political edifice rose in lovely proportions, as if to the melodies of the lyre. Peacefully and without crime, humanity was to make for itself a new existence.

A few men of Anglo-Saxon descent, chiefly farmers, planters, and mechanics, with their wives and children, had crossed the Atlantic, in search of freedom and fortune. They brought the civilization which the past had bequeathed to Great Britain; they were followed by the slave-ship and the African; their prosperity invited emigrants from every lineage of Central and Western Europe; the mercantile system to which they were subjected prevailed in the councils of all metropolitan states, and extended its

restrictions to every continent that allured to conquest, commerce, or colonization. The accomplishment of their independence would agitate the globe, would assert the freedom of the oceans as commercial highways, vindicate power in the commonwealth for the united judgment of its people, and assure to them the right to a self-directing vitality.

The authors of the American Revolution avowed for their object the welfare of mankind, and believed that they were in the service of their own and of all future generations. Their faith was just; for the world of mankind does not exist in fragments, nor can a country have an insulated existence. All men are brothers; and all are bondsmen for one another. All nations, too, are brothers; and each is responsible for that federative humanity which puts the ban of exclusion on none. New principles of government could not assert themselves in one hemisphere without affecting the other. The very idea of the progress of an individual people, in its relation to universal history, springs from the acknowledged unity of the race.

From the dawn of social being, there has appeared a tendency towards commerce and intercourse between the scattered inhabitants of the earth. That mankind have ever earnestly desired this connection, appears from their willing homage to the adventurers, and to every people who have greatly enlarged the boundaries of the world, as known to civilization. The traditions of remotest antiquity celebrate the half-divine wanderer who raised pillars on the shores of the Atlantic; and record, as a visitant from the skies, the first traveller from Europe to the central rivers of Asia. It is the glory of Greece that, when she had gathered on her islands and among her hills the scattered beams of human intelligence, her numerous colonies carried the accumulated light to the neighborhood of the ocean and to the shores of the Euxine; her wisdom and her arms connected continents.

When civilization intrenched herself within the beautiful promontory of Italy, and Rome led the van of European reform, the same movement continued, with still vaster

results; for, though the military republic bounded the expansive spirit of independence by giving dominion to property, and extended her own influence by the sword, yet, heaping up conquests, adding island to continent, crushing nationalities, offering a shrine to strange gods, and citizenship to every vanquished people, she extended over a larger empire the benefits of fixed principles of law, and a cosmopolitan polytheism prevailed as the religion of the world.

To have asserted clearly the unity of mankind was the distinctive character of the Christian religion. No more were the nations to be severed by the worship of exclusive deities. The world was instructed that all men are of one blood; that for all there is but one divine nature and but one moral law; and the renovating faith taught the singleness of the race, of which it imbodied the aspirations and guided the advancement. The tribes of Northern Europe, emerging freshly from the wild nurseries of nations, opened new regions to culture, commerce, and refinement. The beams of the majestic temple, which antiquity had reared to its many gods, were already falling in; the roving invaders, taking to their hearts the regenerating creed, became its intrepid messengers, and bore its symbols even to Iceland and Siberia.

Still nearer were the relations of the connected world, when an enthusiast reformer, glowing with selfish ambition, and angry at the hollow forms of idolatry, rose up in the deserts of Arabia, and founded a system, whose emissaries, never diverging widely from the warmer zone, conducted armies from Mecca to the Ganges, where its principle was at variance with the limitation of castes; and to the Ebro, where a life of the senses could mock at degenerate superstitions, yet without the power to create anew. How did the two systems animate all the continents of the Old World to combat for the sepulchre of Christ, till Europe, from Spain to Scandinavia, came into conflict and intercourse with the arts as well as the arms of the south and east, from Morocco to Hindostan!

In due time appeared the mariner from Genoa. To Columbus God gave the keys that unlock the barriers of the ocean; so that he filled Christendom with his glory. The

voice of the world had whispered to him that the world is one; and, as he went forth towards the west, ploughing a wave which no European keel had entered, it was his high purpose not merely to open new paths to islands or to continents, but to bring together the ends of the earth, and join all nations in commerce and spiritual life.

While the world of mankind is accomplishing its nearer connection, it is also advancing in the power of its intelligence. The possession of reason is the engagement for that progress of which history keeps the record. The faculties of each individual mind are limited in their development; the reason of the whole strives for perfection, has been restlessly forming itself from the first moment of human existence, and has never met bounds to its capacity for improvement. The generations of men are not like the leaves on the trees, which fall and renew themselves without melioration or change; individuals disappear like the foliage and the flowers; the existence of our kind is continuous, and its ages are reciprocally dependent. Were it not so, there would be no great truths inspiring action, no laws regulating human achievements: the movement of the living world would be as the ebb and flow of the ocean; and the mind would no more be touched by the visible agency of Providence in human affairs. In the lower creation, instinct may more nearly be always equal to itself; yet even there the beaver builds his hut, the bee his cell, with a gradual acquisition of inherited thought and increase of skill. By a more marked prerogative, as Pascal has written, "not only each man advances daily in the sciences, but all men unitedly make a never ceasing progress in them, as the universe grows older; so that the whole succession of human beings, during the course of so many ages, ought to be considered as one identical man, who subsists always, and who learns without end."

It is this idea of continuity which gives vitality to history. No period of time has a separate being; no public opinion can escape the influence of previous intelligence. We are cheered by rays from former centuries, and live in the sunny reflection of all their light. What though thought

is invisible, and, even when effective, seems as transient as the wind that raised the cloud? It is yet free and indestructible; can as little be bound in chains as the aspiring flame; and, when once generated, takes eternity for its guardian. We are the children and the heirs of the past, with which, as with the future, we are indissolubly linked together; and he that truly has sympathy with every thing belonging to man will, with his toils for posterity, blend affection for the times that are gone by, and seek to live in the vast life of the ages. It is by thankfully recognising those ages as a part of the great existence in which we share, that history wins power to move the soul; she comes to us with tidings of that which for us still lives, of that which has become the life of our life; she embalms and preserves for us the life-blood not of master-spirits only, but of generations of the race.

And because the idea of improvement belongs to that of continuous being, history is, of all pursuits, the most cheering; it throws a halo of delight and hope even over the sorrows of humanity, and finds promises of joy among the ruins of empires and the graves of nations; it sees the footsteps of Providential Intelligence everywhere, and hears the gentle tones of his voice in the hour of tranquillity.

Nor God alone in the still calm we find;
He mounts the storm and walks upon the wind.

Institutions may crumble and governments fall, but it is only that they may renew a better youth, and mount upwards like the eagle: the petals of the flower wither, that fruit may form. The desire of perfection, springing always from moral power, rules even the sword, and escapes unharmed from the field of carnage; giving to battles all that they can have of lustre, and to warriors their only glory; surviving martyrdoms, and safe amid the wreck of states. On the banks of the stream of time, not a monument has been raised to a hero or a nation, but tells the tale and renews the hope of improvement. Each people that has disappeared, every institution that has passed away, has been but a step in the ladder by which humanity ascends towards the perfecting of its nature.

And how has it always been advancing, to the just judgments of the past adding the discoveries of successive ages! The generations that hand the torch of truth along the lines of time themselves become dust and ashes; but the light still increases its ever burning flame, and is fed more and more plenteously with consecrated oil. How is progress manifest in religion, from the gross symbols of the East to the sublime philosophy of Greece, from the fetichism of the savage to the polytheism of Rome; from the multiplied forms of ancient superstition, and the lovely representations of deities in stone, to the clear conception of the unity of divine power, and the idea of the presence of God in the soul! How has mind, in its inquisitive freedom, taught man to employ the elements as mechanics do their tools, and already, in part at least, made him the master and possessor of nature! How has knowledge not only been increased, but diffused! How has morality been constantly tending to subdue the supremacy of brute force, to refine passion, to enrich literature with the varied forms of pure thought and delicate feeling! How has social life been improved, and every variety of toil in the field and in the workshop been ennobled by the willing industry of free men! How has humanity been growing conscious of its unity and watchful of its own development, till public opinion, bursting the bonds of nationality, knows itself to be the spirit of the world, in its movement on the tide of thought from generation to generation!

From the intelligence that had been slowly ripening in the mind of cultivated humanity sprung the American Revolution, which was designed to organize social union through the establishment of personal freedom, and thus emancipate the nations from all authority not flowing from themselves. In the old civilization of Europe, power moved from a superior to inferiors and subjects; a priesthood transmitted a common faith, from which it would tolerate no dissent; the government esteemed itself, by compact or by divine right, invested with sovereignty, dispensing protection and demanding allegiance. But a new principle, far mightier than the church and state of the middle ages, was forcing

itself into activity. Successions of increasing culture and heroes in the world of thought had conquered for mankind the idea of the freedom of the individual; the creative, but long latent, energy that resides in the collective reason was next to be revealed. From this the state was to emerge, like the fabled spirit of beauty and love out of the foam of the ever troubled ocean. It was the office of America to substitute for hereditary privilege the natural equality of man; for the irresponsible authority of a sovereign, a dependent government emanating from the concord of opinion; and, as she moved forward in her high career, the multitudes of every clime gazed towards her example with hopes of untold happiness, and all the nations of the earth sighed to be renewed.

The American Revolution, of which I write the history, essaying to unfold the principles which organized its events, and bound to keep faith with the ashes of its heroes, was most radical in its character, yet achieved with such benign tranquillity that even conservatism hesitated to censure. A civil war armed men of the same ancestry against each other, yet for the advancement of the principles of everlasting peace and universal brotherhood. A new plebeian democracy took its place by the side of the proudest empires. Religion was disenthralled from civil institutions; thought obtained for itself free utterance by speech and by the press; industry was commissioned to follow the bent of its own genius; the system of commercial restrictions between states was reprobated and shattered; and the oceans were enfranchised for every peaceful keel. International law was humanized and softened; and a new, milder, and more just maritime code was concerted and enforced. The trade in slaves was branded and restrained. The language of Bacon and Milton, of Chatham and Washington, became so diffused, that in every zone, and almost in every longitude, childhood lisps the English as its mother tongue. The equality of all men was declared; personal freedom secured in its complete individuality; and common consent recognised as the only just origin of fundamental laws: so that in thirteen separate states, with ample territory for creating

more, the inhabitants of each formed their own political institutions. By the side of the principle of the freedom of the individual and the freedom of the separate states, the noblest work of human intellect was consummated in a federative union; and that union put away every motive to its destruction, by insuring to each successive generation the right to better its constitution, according to the increasing intelligence of the living people.

Astonishing deeds, throughout the world, attended these changes: armies fought in the wilderness for rule over the solitudes which were to be the future dwelling-place of millions; navies hunted each other through every sea, engaging in battle now near the region of icebergs, now within the tropics; inventive art was summoned to make war more destructive, and to signalize sieges by new miracles of ability and daring; Africa was, in part, appropriated by rival nations of white men; and, in Asia, an adventurous company of British traders planted themselves as masters in the empire of the Great Mogul.

For America, the period abounded in new forms of virtue and greatness. Fidelity to principle pervaded the masses; an unorganized people, of their own free will, suspended commerce by universal assent; poverty rejected bribes. Heroism, greater than that of chivalry, burst into action from lowly men; citizens, with their families, fled from their homes and wealth in towns, rather than yield to oppression. Battalions sprung up in a night from spontaneous patriotism; where eminent statesmen hesitated, the instinctive action of the multitude revealed the counsels of magnanimity; youth and genius gave up life freely for the liberties of mankind. A nation without union, without magazines and arsenals, without a treasury, without credit, without government, fought successfully against the whole strength and wealth of Great Britain: an army of veteran soldiers capitulated to insurgent husbandmen.

The world could not watch with indifference the spectacle. The oldest aristocracy of France, the proudest nobles of Poland, the bravest hearts of Germany, sent their representatives to act as the peers of plebeians, to die gloriously,

or to live beloved, as the champions of humanity and freedom; Russia and the northern nations shielded the young republic by an armed neutrality; while the Catholic and feudal monarchies of France and Spain, children of the middle age, were wonderfully swayed to open the gates of futurity to the new empire of democracy: so that, in human affairs, God never showed more visibly his gracious providence and love.

Yet the thirteen colonies, in whom was involved the futurity of our race, were feeble settlements in the wilderness, scattered along the coast of a continent, little connected with each other, little heeded by their metropolis, almost unknown to the world; they were bound together only as British America, that part of the western hemisphere which the English mind had appropriated. England was the mother of its language, the home of its traditions, the source of its laws, and the land on which its affections centred. And yet it was an offset from England, rather than an integral part of it; an empire of itself, free from nobility and prelacy; not only Protestant, but by a vast majority dissenting from the church of England; attracting the commoners and plebeian sects of the parent country, and rendered cosmopolitan by recruits from the nations of the European continent. By the benignity of the law, the natives of other lands were received as citizens; and political liberty, as a birthright, was the talisman that harmoniously blended all differences, and inspired a new public life, dearer than their native tongue, their memories, and their kindred. Dutch, French, Swede, and German renounced their nationality, to claim the rights of Englishmen.

The extent of those rights, as held by the colonists, had never been precisely ascertained. Of all the forms of civil government of which they had ever heard or read, no one appeared to them so well calculated to preserve liberty, and to secure all the most valuable advantages of civil society, as the English; and of this happy constitution of the mother country, which it was usual to represent, and almost to adore, as designed to approach perfection, they held

their own to be a copy, or rather an improvement, with additional privileges not enjoyed by the common people there. The elective franchise was more equally diffused; there were no decayed boroughs, or unrepresented towns; representation, which was universal, conformed more nearly to population; for more than half the inhabitants, their legislative assemblies were chosen annually and by ballot, and the time for convening their legislatures was fixed by a fundamental law; the civil list in every colony but one was voted annually, and annually subjected to scrutiny; appropriations of money often, for greater security against corruption and waste, included the nomination and appointment of the agents who were to direct the expenditures; municipal liberties were more independent and more extensive; in none of the colonies was there an ecclesiastical court, and in most of them there was no established church or religious test of capacity for office; the cultivator of the soil was, for the most part, a freeholder; in all the continent the people possessed arms, and the able-bodied men were enrolled and trained to their use: so that in America there was more of personal independence, and far more of popular power, than in England.

The relations of the colonies to Great Britain, whether to the king or to the parliament, were still more vague and undefined. They were planted under grants from the crown, and, to the last, the king in council was their highest court of appeal; yet, while the court lawyers of the seventeenth century asserted for the king unlimited legislative authority in the plantations, the colonies set bounds to the royal prerogative, either through charters which the crown was induced to grant, or by the traditionary principles of English liberty, or by the innate energy which, aided by distance, fearlessly assumed self-direction.

The method adopted in England for superintending American affairs, by means of a board of commissioners for trade and plantations, who had neither a voice in the deliberation of the cabinet nor access to the king, involved the colonies in ever increasing confusion. The board framed instructions, without power to enforce them, or to propose meas-

ures for their efficiency; it took cognizance of all events, and might investigate, give information, or advise, but it had no authority to decide any political question whatever. In those days, two secretaries of state managed the foreign relations of Great Britain. The executive power with regard to the colonies was reserved to the one who had the care of what was called the Southern Department, which included the Spanish peninsula and France. The board of trade, framed originally to restore the commerce and encourage the fisheries of the mother land, was compelled to hear complaints from the executive officers in America, to issue instructions to them, and to receive and consider all acts of the colonial legislatures; but it had no final responsibility for the system of American policy that might be adopted. Hence, from their very feebleness, the lords of trade were ever impatient of contradiction; easily grew vexed at disobedience to their orders; and inclined to suggest the harshest methods of coercion, knowing that their petulance would exhale itself in official papers, unless it should touch the pride or waken the resentment of the responsible minister, the crown, and parliament.

The effect of their recommendations would depend on the character and influence of the person who might happen to be the secretary of state for the south. A long course of indecision had multiplied the questions on which the demands and the customs of the colonies were at variance with the maxims of the board of trade.

In April, 1724, the seals for the southern department and the colonies had been intrusted to the Duke of Newcastle. His advancement by Sir Robert Walpole, who shunned men of talents as latent rivals, was owing to his rank, wealth, influence over boroughs, and personal imbecility. For nearly four-and-twenty years he remained minister for British America; yet, to the last, knew little of the continent of which he was the guardian. It used to be said that he addressed letters to "the island of New England," and could not tell but that Jamaica was in the Mediterranean. Heaps of colonial memorials and letters remained unread in his office; and a paper was almost sure of neglect, unless some agent

remained with him to see it opened. His frivolous nature could never glow with affection, or grasp a great idea, or analyze complex relations. After long research, I cannot find that he ever once attended seriously to an American question.

The power of the house of commons in Great Britain rested on its exclusive right to grant annually the supplies necessary for carrying on the government; thus securing an ever recurring opportunity for demanding the redress of wrongs. In like manner, the strength of the people in America consisted in the exclusive right of its assemblies to levy and to appropriate colonial taxes. In England, the king obtained a civil list for life; in America, the rapacity of the governors made it expedient to keep them dependent for their salaries on annual grants, of which the amount was regulated, from year to year, by a consideration of the merits of the officer, as well as the opulence of the province. It was easy for the governors to obtain instructions to demand peremptorily a large, settled, and permanent support; but the assemblies treated instructions as binding executive officers only, and claimed an uncontrolled freedom of deliberation and decision. To remove the inconsistency, the king must pay his officers from an independent fund, or change his instructions. Newcastle did neither; he continued the instructions, and privately consented to their being slighted. Having the patronage of a continent, he would gratify his connections in the aristocratic families of England, by intrusting the royal prerogative to men of broken fortunes, dissolute and ignorant, too vile to be employed near home; so that America became the hospital of Great Britain for decayed members of parliament and abandoned courtiers, whose conduct was sure to provoke distrust and to justify opposition. But he was satisfied with distributing to them offices; and, for their salaries, abandoned them to the annual deliberations of the colonial legislatures. Standing between the lords of trade, who issued instructions, and the cabinet, which alone could propose measures to enforce them, he served as a non-conductor to the angry zeal of the former, whose places, under

such a secretary, became more and more nearly sinecures; while America, neglected in England, and rightly resisting her deputed rulers, went on her way rejoicing towards freedom and independence.

Disputes accumulated with every year; but Newcastle temporized to the last; and in February, 1748, on the resignation of the Earl of Chesterfield, he escaped from the embarrassments of American affairs by taking the seals for the northern department. Those of the southern, which included the colonies, were intrusted to the Duke of Bedford.

The new secretary was "a man of inflexible honesty and good-will to his country," "untainted by duplicity or timidity." His abilities were not brilliant; but his inheritance of the rank and fortune of his elder brother gave him political consideration. In 1744, he had entered the Pelham ministry as first lord of the admiralty, bringing with him to that board George Grenville and the Earl of Sandwich. In that station, his orders to Warren contributed to the conquest of Louisburg. In the last war he had cherished "the darling project" of conquering Canada, and "the great and practicable views for America" were said by Pitt to have "sprung from him alone." Proud of his knowledge of trade, and his ability to speak readily, he entered without distrust on the administration of a continent.

Of the two dukes, who, at this epoch of the culminating power of the aristocracy, guided the external policy of England, each hastened the independence of America. Newcastle, who was childless, depended on office for all his pleasure; Bedford, though sometimes fond of place, was too proud to covet it always. Newcastle had no passion but business, which he conducted in a fretful hurry, and never finished; the graver Bedford, though fond of "theatricals and jollity," was yet capable of persevering in a system. Newcastle was of "so fickle a head, and so treacherous a heart," that Walpole called his "name Perfidy;" Henry Fox, the first Lord Holland, said "he had no friends, and deserved none;" and Lord Halifax used to revile him as "a knave and a fool;" he was too unstable to be led by

others, and, from his own instinct about majorities, shifted his sails as the wind shifted. Bedford, who was bold and unbending, and would do nothing but what he himself thought "indisputably right," was "always governed," and was also "immeasurably obstinate in an opinion once received;" being "the most ungovernable governed man in England," and the most faithful to the vulgar and dissolute "bandits" who formed his political connection. Neither was cruel or revengeful; but, while the one "had no rancor or ill-nature," and no enmities but freaks of petulance, the other carried decision into his attachments and his feuds. Newcastle lavished promises, familiar caresses, tears and kisses, and cringing professions of regard, with prodigal hypocrisy; Bedford knew no wiles, was blunt, unabashed, and, without being aware of it, rudely impetuous, even in the presence of his sovereign. Newcastle was jealous of rivals; Bedford was impatient of contradiction. Newcastle was timorous without caution, and, often arbitrary from thoughtlessness, rushed into difficulties which he evaded by indecision; the positive Bedford, energetic without sagacity, and stubborn with but a narrow range of thought, scorned to shun deciding any question that might arise, grew choleric at resistance, could not or would not foresee obstacles, and was known throughout America as ready at all hazards to vindicate authority.

CHAPTER II.

THE ROYAL GOVERNOR OF NEW YORK APPEALS TO THE PARAMOUNT POWER OF GREAT BRITAIN. PELHAM'S ADMINISTRATION CONTINUED.

1748–1749.

1748. July. THE sun of July, 1748, shed its radiance on the banks of the Hudson. No fortress in the Highlands kept watch over the infrequent bark that spread its sails to the froward summer breeze. The dense forests, which came down the hillsides to the edges of the river, were but rarely broken by openings round the houses of a thinly scattered tenantry, and by the solitary mansions of the few proprietaries, who, under lavish grants, claimed manors of undefined extent, and even whole counties for their inheritance. Through these scenes, George Clinton, an unlettered British admiral, who, being closely connected with both Newcastle and Bedford, had been sent to America to mend his fortunes as governor of New York, was making his way towards Albany, where the friendship of the Six Nations was to be confirmed by a joint treaty between their chiefs and the commissioners from several colonies, and the encroachments of France were to be circumscribed by a concert for defence.

As his barge emerged from the Highlands, it neared the western bank to receive on board Cadwallader Colden, the oldest member of the royal council. How often had the governor and his advisers joined in deploring "the levelling principles of the people of New York and the neighboring colonies;" "the tendencies of American legislatures to independence;" their unwarrantable presumption in "declaring their own rights and privileges;" their ambitious efforts "to wrest the administration from the king's offi-

cers," by refusing fixed salaries, and compelling the respective governors to annual capitulations for their support! How had they conspired to dissuade the English government from countenancing the opulent James Delancey, then chief justice of the province and the selfish and artful leader of the opposition! "The inhabitants of the plantations," they reiterated to one another and to the ministry, "are generally educated in republican principles; upon republican principles all is conducted. Little more than a shadow of royal authority remains in the northern colonies." Very recently the importunities of Clinton had offered the Duke of Newcastle "the dilemma of supporting the governor's authority, or relinquishing power to a popular faction." "It will be impossible," said one of his letters, which was then under consideration in England before the king, "to secure this valuable province from the enemy, or from a faction within it, without the assistance of regular troops, two thousand men at least. There never was so much silver in the country as at present, and the inhabitants never were so expensive in their habits of life. They, with the southern colonies, can well discharge this expense."

The party of royalists who had devised the congress, as subsidiary to the war between France and England, were overtaken by the news that preliminaries of peace between the European belligerents had been signed in April; and they eagerly seized the opportunity of returning tranquillity, to form plans for governing and taxing the colonies by the supreme authority of Great Britain. A colonial revenue, through British interposition, was desired for the common defence of America, and to defray the civil list in the respective provinces. Could an independent income be obtained for either of these purposes, it might, by degrees, be applied to both.

To the convention in Albany came William Shirley, already for seven years governor of Massachusetts; an English lawyer, artful, needy, and ambitious; a member of the church of England; indifferent to the laws and the peculiar faith of the people whom he governed, appointed originally to restore or introduce British authority, and

more relied upon than any crown officer in America. With him appeared Andrew Oliver and Thomas Hutchinson, both natives and residents of Boston, as commissioners from Massachusetts. Oliver was bred at Harvard College, had solid learning and a good knowledge of the affairs of the province, and could write well. Distinguished for sobriety of conduct and the forms of piety, he enjoyed public confidence; but at heart he was ruled by the love of money; and, having diminished his patrimony by unsuccessful traffic, was greedy of the pecuniary rewards of office.

The complaisant, cultivated, and truly intelligent Hutchinson was now the speaker of the house of assembly in Massachusetts; the most plausible and the most influential, as well as the most ambitious man in that colony. Loving praise himself, he soothed with obsequious blandishments any one who bade fair to advance his ends. To the Congregational clergy he paid assiduous deference, as one of their most serious and constant supporters; but his formally pious life, and unfailing attendance "at meeting," were little more than a continuous flattery. He was one who shunned uttering a direct falsehood; but he did not scruple to conceal truth, to equivocate, and to deceive. He courted the people, but, from boyhood, inwardly disliked them; and used their favor only as steps to his own promotion. Though well educated, and of uncommon endowments, and famed at college as of great promise, he became a trader in his native town, and, like others, smuggled goods, which he sold at retail. Failing of profits, he withdrew from mercantile pursuits; but to gain property remained the most ardent desire of his soul, so that his avarice was the great incentive to his ambition. He had been in England as agent of Massachusetts at the time when taxing America by parliament first began to be talked of, and had thus become acquainted with British statesmen, the maxims of the board of trade, and the way in which Englishmen reasoned about the colonies. He loved the land of his nativity, and made a study of its laws and history; but he knew that all considerable emoluments of office sprung not from his frugal countrymen, but from royal favor. He was a man of clear discernment,

and, where unbiassed by his own interests, he preferred to do what was right; but his sordid nature led him to worship power; he could stoop to solicit justice as a boon; and a small temptation would easily bend him to become the instrument of oppression. At the same time he excelled in dissimulation, and knew how to veil his selfishness under the appearance of public spirit.

The congress at Albany was thronged beyond example by the many chiefs of the Six Nations and their allies. They resolved to have no French within their borders, nor even to send deputies to Canada, but to leave to English mediation the recovery of their brethren from captivity. It was announced that tribes of the far west, dwelling on branches of Erie and the Ohio, inclined to friendship; and, nearly at that very moment, envoys from their villages were at Lancaster, solemnizing a treaty of commerce with Pennsylvania. Returning peace was hailed as the happy moment for bringing the Miamis and their neighbors within the covenant chain of the English, and thus extending British jurisdiction to the Wabash.

The lighted calumet had been passed from mouth to mouth; the graves of the tawny heroes, slain in war, had been so covered with expiating presents that their vengeful spirits were appeased; wampum belts of confirmed love had been exchanged, — when the commissioners of Massachusetts, acting in harmony with Clinton and Shirley, and adopting their opinions and almost their language, represented to them, in a memorial, that as Massachusetts, New Hampshire, and New York were the barrier of America against the French, the charge of defending their frontiers ought as little to rest on those provinces as the charge of defending any counties in Great Britain on such counties alone; that the other governments had been invited to join in concerting measures, but all, excepting Connecticut, had declined; they therefore urged an application to the king, that the remoter colonies, which were not immediately exposed, might be obliged to contribute in a just proportion towards the expense of protecting the inland territories of New England and New York. The two governors, as

1748. Aug. they forwarded the paper to the board of trade, subjoined: "We agree with the memorialists."

The haste or the negligence of the British plenipotentiaries at Aix-la-Chapelle had determined their boundary in America along its whole line, only by the vague agreement that it should be as it had been before the war; and, for a quarter of a century before the war, it had never ceased to be a subject of altercation. In this condition of an accepted treaty of peace and an undetermined limit of jurisdiction, each party hurried to occupy in advance as much territory as possible, without too openly compromising their respective governments. Acadia, according to its ancient boundaries, belonged to Great Britain; but France had always, even in times of peace, declared that Acadia included only the peninsula; before the restoration of Cape Breton, an officer from Canada occupied the isthmus between Bay Verte and the Bay of Fundy; a small colony kept possession of the mouth of the St. John's River; and the claim as far west as the Kennebec had never been abandoned.

At the west, also, France had uniformly and frankly claimed the whole basin of the St. Lawrence and of the Mississippi; and, in proof of its rightful possession, pointed to its castles at Crown Point, at Niagara, among the Miamis, and within the borders of Louisiana. Ever regarding the friendship of the Six Nations as a bulwark essential to security, La Galissonière, the governor-general of Canada, treated them as the allies of the French no less than of the English; and, still further to secure their affections, the self-devoted Abbé Francis Picquet occupied by a mission Oswegatchie, now Ogdensburg, at the head of the Rapids, on the southern bank of the St. Lawrence. For the more distant regions, orders were sent, in October, to the commandant at Detroit, to oppose every English establishment on the Maumee, the Wabash, and the Ohio, by force; or, if his strength was insufficient, to summon the intruder to depart, under highest perils for disobedience.

Plausible reasons, therefore, existed for the memorial of Hutchinson and Oliver; but the more cherished purpose of those who directed this congress at Albany was the secure

enjoyment of the emoluments of office, without responsibility to the respective American provinces. "From past experiments," added Clinton and Shirley, jointly, as they forwarded the ostensibly innocent petition, "we are convinced that the colonies will never agree on quotas, which must therefore be settled by royal instructions." "It is necessary for us likewise to observe to your lordships," thus they proceeded to explain their main design, "on many occasions there has been so little regard paid in several colonies to the royal instructions, that it is requisite to think of some method to enforce them."

What methods should be followed to reduce a factious colony had already been settled by the great masters of English jurisprudence. Two systems of government had long been at variance: the one founded on prerogative, the other on the supremacy of parliament. The first opinion had been professed by many of the earlier lawyers, who considered the colonies as dependent on the crown alone. Even after the revolution, the chief justice at New York, in 1702, declared that "in the plantations the king governs by his prerogative; and Sir John Holt had said, "Virginia being a conquered country, their law is what the king pleases." But when, in 1711, New York, during the administration of Hunter, was left without a revenue, the high powers of parliament were the resource of the ministers; and they prepared a bill, reciting the neglect of the province, and imposing all the taxes which had been discontinued by its legislature. Northey and Raymond, the attorney and the solicitor general, lawyers of the greatest authority, approved the measure. When, in 1724, a similar strife occurred between the crown and Jamaica, and some held that the king and his privy council had a right to levy taxes on the inhabitants of that island, the crown lawyers, Lord Hardwicke, then Sir Philip Yorke, and Sir Clement Wearg, made the memorable reply, that "a colony of English subjects cannot be taxed but by some representative body of their own, or by the parliament of England." That opinion impressed itself early and deeply on the mind of Lord Mansfield, and in October, 1744, when the neglect

of Pennsylvania to render aid in the war had engaged the attention of the ministry, Sir Dudley Ryder and Lord Mansfield, then William Murray, declared that "a colonial assembly cannot be compelled to do more towards their own defence than they shall see fit, unless by the force of an act of parliament, which alone can prescribe rules of conduct for them." Away, then, with all attempts to compel by prerogative, to govern by instructions, to obtain a revenue by royal requisitions, to fix quotas by a council of crown officers! No power but that of parliament can overrule the colonial assemblies.

Such was the doctrine of Murray, who was himself able to defend his system; being unrivalled in debate, except by William Pitt alone. The advice of this illustrious jurist was the more authoritative, because he "had long known the Americans." "I began life with them," said he, on a later occasion, "and owe much to them, having been much concerned in the plantation causes before the privy council. So I became a good deal acquainted with American affairs and people." During the discussions that are now to be related, he was often consulted by the agents of the American royalists. His opinion, coinciding with that of Hardwicke, was applauded by the board of trade, and became the corner-stone of British policy.

On this theory of parliamentary supremacy, Shirley and his associates placed their reliance. Under his advice, it was secretly resolved to bring the disputes between governors and American assemblies to a crisis; the return of peace was selected as the epoch for the experiment; elaborate documents prepared the ministry for the struggle; and Clinton was to extort from the colonial legislature fixed salaries and revenues at the royal disposition, or, by producing extreme disorder, to compel the interposition of the parliament of Great Britain.

1748. Oct. To the assembly which met in October, 1748, Clinton, faithful to his engagements, and choosing New York as the opening scene in the final contest that led to independence, declared that the methods adopted for colonial supplies "made it his indispensable duty at the first

opportunity to put a stop to these innovations;" and he demanded, what had so often been refused, the grant of a revenue to the king for at least five years. The assembly, in reply, insisted on naming in their grants the incumbent of each office. "From recent experience," they continue, "we are fully convinced that the method of an annual support is most wholesome and salutary, and are confirmed in the opinion that the faithful representatives of the people will never depart from it." Warning them of the anger of "parliament," Clinton prorogued the assembly; and, in floods of letters and documents, represented to the secretary of state that its members "had set up the people as the high court of American appeal;" that "they claimed all the powers and privileges of parliament;" that they "virtually assumed all the public money into their own hands, and issued it without warrant from the governor;" that "they took to themselves the sole power of rewarding all services, and, in effect, the nomination to all offices, by granting the salary annually not to the office, but, by name, to the person in the office;" that the system, "if not speedily remedied, would affect the dependency of the colonies on the crown." And he entreated the king to "make a good example for all America, by regulating the government of New York." "Till then," he added, "I cannot meet the assembly, without danger of exposing the king's authority and myself to contempt."

Thus issue was joined with a view to involve the British parliament in the administration of the colonies, just at the time when Bedford, as the secretary, was resolving to introduce uniformity into their administration by supporting the authority of the central government; and his character was a guarantee for resolute perseverance. "Considering the present situation of things," he had declared to Newcastle, "it would be highly improper to have an inefficient man at the head of the board of trade;" and, at his suggestion, on the first day of November, 1748, two months after the peace of America and Europe had been ratified, the Earl of Halifax, then just thirty-two years old, entered upon his long period of service as first commissioner

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for the plantations. He was fond of splendor, profuse, and in debt; passionate, overbearing, and self-willed; "of moderate sense, and ignorant of the world." Familiar only with a feeble class of belles-lettres, he loved to declaim long passages from Prior; but his mind had not been trained by severer studies. As a public man, he was without sagacity, yet unwilling to defer to any one. Resolved to elevate himself by enlarging the dignity and power of his employment, he devoted himself to the business of the plantations, confiding in his ability to master their affairs almost by intuition; writing his own despatches; and, with the undoubting self-reliance of a presumptuous novice, ready to advance fixed opinions and plans of action. The condition of the continent, whose affairs he was to superintend, seemed to invite his immediate activity, alike to secure the possessions of Great Britain against France, and to maintain the authority of the central government against the colonies themselves.

As he read the papers which had accumulated in the board of trade, and the despatches which time-serving subordinates were sending in, as fast as the change in the spirit of the administration became known, the colonies seemed, from the irresolution of his predecessors, tending to legislative independence and rebellion. "Here," wrote Glen, the governor of South Carolina, "levelling principles prevail; the frame of the civil government is unhinged; a governor, if he would be idolized, must betray his trust; the people have got the whole administration in their hands; the election of members to the assembly is by ballot; not civil posts only, but all ecclesiastical preferments, are in the disposal or election of the people; to preserve the dependence of America in general, the constitution must be new modelled."

In North Carolina, no law for collecting quit-rents had been perfected; and its frugal people, whom their governor reported as "wild and barbarous," paid the servants of the crown scantily, and often left them in arrears.

In Virginia, the land of light taxes and freedom from paper money, long famed for its loyalty, where the people had nearly doubled in twenty-one years, and a revenue

granted in perpetuity, with a fixed quit-rent, put aside the usual sources of colonial strife, the insurgent spirit of freedom invaded the royal authority in the established church; and in 1748, just as Sherlock, the new bishop of London, was interceding with the king for an American episcopate, which Bedford and Halifax both favored as essential to royal authority, Virginia, with the consent of Gooch, its lieutenant-governor, transferred by law the patronage of all the livings to the vestries. The act was included among the revised laws, and met with the king's approbation; but, from the time that its purpose was perceived, Sherlock became persuaded that "Virginia, formerly an orderly province, had nothing more at heart than to lessen the influence of the crown."

Letters from Pennsylvania warned the ministers that, as the "obstinate, wrong-headed assembly of Quakers" in that province "pretended not to be accountable to his majesty or his government," they "might in time apply the public money to purposes injurious to the crown and the mother country."

But nowhere did popular power seem so deeply or dangerously seated as in New England, where every village was a little self-constituted democracy, whose organization had received the sanction of law and the confirmation of the king. Especially Boston, whose people had liberated its citizen mariners, when impressed by a British admiral in their harbor, was accused of "a rebellious insurrection." "The chief cause," said Shirley, "of the mobbish turn of a town inhabited by twenty thousand persons, is its constitution, by which the management of it devolves on the populace, assembled in their town meetings."

With the assembly which represented the towns of Massachusetts the wary barrister declined a rupture. When, in November, the legislature of that province, jealous from a true instinct, reduced his salary one third, on the plea of public distress, he answered plausibly: that the province had doubled its population within twenty years; had in that time organized within its limits five-and-twenty new towns; and, at the close of the long war, was

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less in debt than at its beginning. But his hopes of sure emoluments rested in England, and were connected with the success of the applications from New York.

1748. Dec. The conspiracy against the colonies extended to New Jersey. In December, the council of that province found it "their indispensable duty to represent to his majesty the growing rebellion in their province." The conflict for lands in its eastern moiety, where Indian title-deeds, confirmed by long occupation, were pleaded against grants of an English king, led to confusion, which the rules of the English law could not remedy. The people of whole counties could not be driven from their homesteads or imprisoned in jails; Belcher, the temporizing governor, confessed that "he could not bring the delegates into measures for suppressing the wicked spirit of rebellion." The proprietors, who had purchased the long dormant claim to a large part of the province, made common cause with men in office, invoked British interposition, and accused their opponents of treasonably denying the king's title to New Jersey. These appeals were to "tally with and accredit the representation from New York."

From the first moment of his employment, Halifax stood forth the busy champion of the royal authority; and in December, 1748, his earliest official words of any import promised "a very serious consideration on" what he called "the just prerogatives of the crown, and those defects of the constitution," which had "spread themselves over many of the plantations, and were destructive of all order and government;" and he resolved on instantly effecting a thorough change, by the agency of parliament. While awaiting its meeting, the menaced encroachments of France equally claimed his attention; and he determined to 1749. secure Nova Scotia and the Ohio valley.

The region beyond the Alleghanies had as yet no English settlement, except, perhaps, a few scattered cabins in Western Virginia. The Indians south of Lake Erie and in the Ohio valley were, in the recent war, friendly to the English, and were united to Pennsylvania by a treaty of

commerce. The traders, chiefly from Pennsylvania, who strolled from tribe to tribe, were without fixed places of abode, but drew many Indians over the lake to trade in skins and furs. The colony of New York, through the Six Nations, might command the Canadian passes to the Ohio valley; the grant to William Penn actually included a part of it; but Virginia bounded its rightful dominion on the north-west only by Lake Erie. To secure Ohio for the English world, Lawrence Washington of Virginia, Augustus Washington, and their associates, proposed a colony beyond the Alleghanies. "The country west of the great mountains is the centre of the British dominions," wrote Halifax and his colleagues, who were inflamed with the hope of recovering it by some sort of occupation; and the favor of Henry Pelham, with the renewed instance of the board of trade, obtained in March, 1749, the king's instructions 1749. to the governor of Virginia, to grant to John Hanbury and his associates in Maryland and Virginia five hundred thousand acres of land between the Monongahela and the Kanawha, or on the northern margin of the Ohio. The company were to pay no quit-rent for ten years, within seven years to colonize at least one hundred families, to select immediately two fifths of their territory, and at their own cost to build and garrison a fort. Thomas Lee, president of the council of Virginia, and Robert Dinwiddie, a native of Scotland, surveyor-general for the southern colonies, were shareholders.

Aware of these designs, France anticipated England. Immediately, in 1749, La Galissonière, whose patriotic mind revolved great designs of empire, and questioned futurity for the results of French power, population, and commerce in America, sent De Celoron de Bienville, with three hundred men, to the valley of the Ohio. On its southern bank, opposite the point of an island, and near the junction of a river, that officer buried, at the foot of a primeval red-oak, a plate of lead with the inscription that the country belonged to France; and he nailed the lilies of the Bourbons to a forest tree, in token of possession. "I am going down the river," said he to Indians at Logstown, "to scourge

home our children, the Miamis and the Wyandots;" and he forbade all trading with the English. "The lands are ours," replied the Indians; and they claimed freedom of commerce. The French emissary proceeded to the towns of the Miamis, expelled the English traders, and by letter requested Hamilton, the governor of Pennsylvania, to prevent all farther intrusion. But the Indians murmured, as he buried plates at the mouth of every remarkable creek. "We know," they said, "it is done to steal our country from us;" and they resolved to "go to the Onondaga council" for protection.

On the north-east, the well-informed La Galissonière took advantage of the gentle and unsuspecting character of the Acadians themselves, and of the doubt that existed respecting occupancy and ancient titles. In 1710, when Port Royal, now Annapolis, was vacated, the fort near the mouth of the St. John's remained to France. The English had no settlement on that river; and though they had, on appeal to their tribunals, exercised some sort of jurisdiction, it had not been clearly recognised by the few inhabitants, and had always been denied by the French government. It began to be insinuated that the ceded Acadia was but a part of the peninsula lying upon the sea between Cape Fourches and Cape Canso. The Abbé La Loutre, missionary and curate of Messagouche, now Fort Lawrence, which is within the peninsula, formed the plan, with the aid of La Galissonière and the court of France, to entice the Acadians from their ancient dwelling-places, and plant them on the frontier as a barrier against the English.

But, even before the peace, Shirley had represented that the inhabitants near the isthmus, being French and Catholic, should be removed into some other of his majesty's colonies, and that Protestant settlers should occupy their lands. From this atrocious proposal, Newcastle, who was cruel only from frivolity, did not withhold his approbation; but Bedford, his more humane successor, sought to secure the entire obedience of the French inhabitants by intermixing with them colonists of English descent.

The execution of this design, which the Duke of Cumberland, Pelham, and Henry Fox assisted in maturing, de-

volved on Halifax. Invitations went through Europe to invite Protestants from the continent to emigrate to the British colonies. The good-will of New England was encouraged by care for its fisheries; and American whalemen, stimulated by the promise of enjoying an equal bounty with the British, learned to follow their game among the icebergs of the Greenland seas. But the main burden of securing Nova Scotia fell on the British treasury. While the general court of Massachusetts, through their agent in England, sought to prevent the French from possessing any harbor whatever in the Bay of Fundy, or west of it on the Atlantic, proposals were made, in March, 1749, to disbanded officers and soldiers and marines, to accept and occupy lands in Acadia; and, before the end of June, more than fourteen hundred persons, under the auspices of the British parliament, were conducted by Colonel Edward Cornwallis into Chebucto harbor. There, on a cold and sterile soil, covered to the water's edge with one continued forest of spruce and pine, whose thick underwood and gloomy shade hid rocks and the rudest wilds, with no clear spot to be seen or heard of, rose the first town of English origin east of the Penobscot. From the minister who imparted efficiency to the enterprise, it took the name of Halifax. Before winter three hundred houses were covered in. At Minas, now Lower Horton, a block-house was raised, and fortified by a trench and a palisade; a fort at Pesaquid, now Windsor, protected the communications with Halifax. These, with Annapolis on the Bay of Fundy, secured the peninsula.

The ancient inhabitants had, in 1730, taken an oath of fidelity to the English king, as sovereign of Acadia; and were promised indulgence in "the true exercise of their religion, and exemption from bearing arms against the French or Indians." They were known as the French Neutrals. Their hearts were still with France, and their religion made them a part of the diocese of Quebec. Of a sudden it was proclaimed to their deputies convened at Halifax, that English commissioners would repair to their villages, and tender to them, unconditionally, the oath of allegiance. They could not pledge themselves before

Heaven to join in war against the land of their origin and their love; and, in a letter signed by a thousand of their men, they pleaded rather for leave to sell their lands and effects, and abandon the peninsula for new homes, which France would provide. But Cornwallis would offer no option but between unconditional allegiance and the confiscation of all their property. "It is for me," said he, "to command and to be obeyed;" and he looked to the board of trade for further instructions.

With the Micmac Indians, who at the instigation of La Loutre, the missionary, united with other tribes to harass the infant settlements, the English governor dealt still more summarily. "The land on which you sleep is mine:" such was the message of the implacable tribe; "I sprung out of it, as the grass does; I was born on it from sire to son; it is mine for ever." So the council at Halifax voted all the poor red men that dwelt in the peninsula to be "so many banditti, ruffians, or rebels;" and, by its authority, Cornwallis, "to bring the rascals to reason," offered for every one of them, "taken or killed," ten guineas, to be paid on producing the savage or "his scalp." But the source of this disorder was the undefined state of possession between the European competitors for North America.

Meantime, La Galissonière, having surrendered his government to the more pacific La Jonquière, repaired to France, to be employed on the commission for adjusting the American boundaries. La Jonquière saw the imminent danger of a new war, and, like Bedford, would have shunned hostilities; but his instructions from the French ministry, although they did not require advances beyond the isthmus, compelled him to attempt confining the English within the peninsula of Acadia.

Thus, while France, with the unity of a despotic central power, was employing all its strength in Canada to make good its claims to an extended frontier, Halifax signalized his coming into office by planting Protestant emigrants in Nova Scotia, as a barrier against encroachments on the north-east; and by granting lands for a Virginia colony on both banks of the Ohio. With still greater impetuosity, he

rushed towards a solution of the accumulated difficulties in the administration of the colonies.

The board of trade, so soon as Halifax had become its head, revived and earnestly promoted the scheme of strengthening the authority of the prerogative by a general act of the British parliament. At its instance, on the third day of March, 1749, under the pretext of suppressing 1749. the flagrant evils of colonial paper money, the disappointed Horatio Walpole, who for nearly thirty years had vainly struggled, as auditor-general of the colonies, to gain a sinecure allowance of five per cent on all colonial revenues, reported a bill to overrule charters, and to make all orders by the king, or under his authority, the highest law of America. In the reign of Henry VIII., parliament sanctioned "what a king, by his royal power, might do;" and gave the energy of law to his proclamations and ordinances. In this it did but surrender the liberties of its own constituents: Halifax and his board invited the British parliament to sequester the liberties of other communities, and transfer them to the British crown.

The people of Connecticut, through their agent, Eliakim Palmer, protested against "the unusual and extraordinary" attempt, "so repugnant to the laws and constitution" of Great Britain, and to their own "inestimable privileges" and charter, "of being governed by laws of their own making." By their birthright, by the perils of their ancestors, by the sanctity of royal faith, by their own affectionate duty and zeal, by their devotion of their lives and fortunes to their king and country, they remonstrated against the bill. Pennsylvania and Rhode Island pleaded their patents, and reminded parliament of the tribute already levied on them by the monopoly of their commerce. For Massachusetts, William Bollan, through "the very good-natured Lord Baltimore," represented that the bill virtually included all future orders of all future princes, however repugnant they might be to the constitution of Great Britain, or of the colonies; thus abrogating for the people of Massachusetts their common rights as Englishmen, not less than their charter privileges. The agent of South Carolina cautiously

intimated that, as obedience to instructions was already due from the governors, whose commissions depended on the royal pleasure, the deliberative rights of the assemblies were the only colonial safeguard against unlimited authority.

"Venerating the British constitution, as established at the revolution," Onslow, the speaker of the house of commons, believed that parliament had power to tax America, but not to delegate that power; and, by his order, the objections to the proposed measure were spread at length on the journal. The board of trade wavered, and in April consented, reluctantly, "to drop for the present, and reserve," the despotic clauses; but it continued to cherish the spirit that dictated them, till it had itself ceased to exist.

At the same time Massachusetts was removing every motive to interfere with its currency by abolishing its paper money. That province had demanded, as a right, the reimbursement of its expenses for the capture of Louisburg. Its claim, as of right, was denied; for its people, it was said, were the subjects, and not the allies, of England; but the requisite appropriation was made by the equity of parliament. Massachusetts had already, in January, 1749, by the urgency of Hutchinson, voted that its public notes should be redeemed with the expected remittances from the royal exchequer. Twice in the preceding year, it had invited a convention of the neighboring colonies, to suppress jointly the fatal paper currency; but, finding concert impossible, it proceeded alone. As the bills had depreciated, and were no longer in the hands of the first holders, it was insisted that to redeem them at their original value would impose a new tax on the first holders themselves; and therefore forty-five shillings of the old tenor, or eleven shillings and threepence of the new emission, were, with the approbation of the king in council, redeemed by a Spanish milled dollar. Thus Massachusetts became the "hard-money colony" of the north.

The plan for enforcing all royal orders in America by the act of the British parliament had hardly been abandoned, when the loyalty and vigilance of Massachusetts were perverted to further the intrigues against its liberty. In April,

1749, its assembly, which held that Nova Scotia included all the continent east of New England, represented to the king "the insolent intrusions" of France on their territory, advised that "the neighboring provinces should be informed of the common danger," and begged "that no breach might be made in any of the territories of the crown on the" American "continent." It was on occasion of transmitting this address that Shirley developed his system. To the Duke of Bedford he recommended the erecting and garrisoning of frontier "fortresses, under the direction of the king's engineers and officers." "A tax for their maintenance," he urged, "should be laid by parliament upon the colonies, without which it will not be done;" from the prosperous condition of America, he argued that "making the British subjects on this continent contribute towards their common security could not be thought laying a burden;" and he cited the acts of trade, and the duty laid on foreign sugars imported into the northern colonies, as precedents that established the reasonableness of his proposal.

Shirley's associates in New York were equally persevering. The seventh day of May, 1749, brought to them "the agreeable news that all went flowingly on" as they had desired. Knowing that Bedford, Dorset, and Halifax had espoused their cause, they convened the legislature; but it was in vain. "The faithful representatives of the people," thus spoke the assembly of New York in July, "can never recede from the method of an annual support." "I know well," rejoined the governor, "the present sentiments of his majesty's ministers; and you might have guessed at them by the bill lately brought into parliament for enforcing the king's instructions. Consider," he adds, "the great liberties you are indulged with. Consider, likewise, what may be the consequences, should our mother country suspect that you design to lessen the prerogative of the crown in the plantations. The Romans did not allow the same privileges to their colonies, which the other citizens enjoyed; and you know in what manner the republic of Holland governs her colonies. Endeavor, then, to show your great thankfulness for the great privileges you enjoy."

The representatives adhered unanimously to their resolutions, pleading that "governors are generally entire strangers to the people they are sent to govern; . . . they seldom regard the welfare of the people, otherwise than as they can make it subservient to their own particular interest; and, as they know the time of their continuance in their governments to be uncertain, all methods are used, and all engines set to work, to raise estates to themselves. Should the public moneys be left to their disposition, what can be expected but the grossest misapplication, under various pretences, which will never be wanting?" To this unanimity the governor could only oppose his determination of "most earnestly" invoking the attention of the ministry and the king to "their proceedings;" and then prorogued the assembly, which he afterwards dissolved.

To make the appeal to the ministry more effective, Shirley, who had obtained leave to go to England, and whose success in every point was believed to be most certain, before embarking received from Colden an elaborate argument, in which revenue to the crown, independent of the American people, was urged as indispensable; and, to obtain it, "the most prudent method," it was insisted, "would be by application to parliament."

But, before Shirley arrived in Europe, the ministry was already won to his designs. On the first day of June, the board of trade had been recruited by a young man gifted with "a thousand talents," the daring and indefatigable Charles Townshend. A younger son of Lord Townshend, ambitious, capable of unwearied labor, bold, and somewhat extravagant in his style of eloquence, yet surpassed as a debater only by Murray and Pitt, he was introduced to office through the commission for the colonies. His extraordinary and restless ability rapidly obtained sway at the board; Halifax cherished him as a favorite; and the parliament very soon looked up to him as "the greatest master of American affairs."

How to regulate charters and colonial governments, and provide an American civil list independent of American legislatures, was the earliest as well as the latest political

problem which Charles Townshend attempted to solve. At that time, Murray, as crown lawyer, ruled the cabinet on questions of legal right; Dorset, the father of Lord George Germain, was president of the council; Lyttelton and George Grenville were already of the treasury board; and Sandwich, raised by his hold on the affections of the Duke of Bedford, presided at the admiralty; Halifax, Charles Townshend, and their colleagues, were busy with remodelling American constitutions; while Bedford, the head of the new party that was in a few years to drive the more liberal branch of the whig aristocracy from power, as secretary of state for the southern department, was the organ of communication between the board of trade and the crown.

These are the men who proposed to reconcile the discrepancy between the legal pretensions of the metropolis and the actual condition of the colonies. In vain did they resolve to shape America at will, and fashion it into new modes of being. The infant republics were not like blocks of marble from the quarry, which the artist may group by his design, and gradually transform by the chisel from shapeless masses to the images of his fancy; they resembled living plants, whose inward energies obey the divine idea without effort or consciousness of will, and unfold simultaneously their whole existence and the rudiments of all their parts, harmonious, beautiful, and complete in every period of their growth.

These British American colonies were the best trophy of modern civilization; on them, for the next forty years, rests the chief interest in the history of man.

CHAPTER III.

THE EXPLORATION OF OHIO. PELHAM'S ADMINISTRATION CONTINUED.

1749–1750.

THE world had never witnessed colonies with institutions so free as those of America; but this result did not spring from the intention of England. On the 1749. July. twelfth of July, 1749, all the ministers of state assembled at the board of trade, and deliberated, from seven in the evening till one the next morning, on the political aspect of the plantations. The opinions of Sir Dudley Ryder and William Murray were before them. They agreed that "all accounts concurred in representing New Jersey as in a state of disobedience to law and government, attended with circumstances which manifested a disposition to revolt from dependence on the crown. . . . While the governor was so absolutely dependent on the assembly, order could not possibly be restored." And they avowed it as their "fundamental" rule of American government, that the colonial officers of the king should have "some appointment from home." Such was "their fixed maxim and principle." The English ministry viewed it as a narrow question, relating to a subordinate branch of executive administration: America knew that it involved for the world all hope of establishing the power of the people.

The agents of the American royalists continued indefatigable in their solicitations. They had the confidential advice of Murray, who instructed them how best to increase their influence with the ministry. To this end they also fomented a jealous fear of "the levelling principles which had crept into New York and New Jersey," and which were believed to prevail in New England and Pennsylvania. "Drink Lord Halifax in a bumper," were the words of

Clinton, as he read his letters from England; "though I durst say," he added, "the rest are as hearty." Especially the Duke of Bedford, on the first day of November, promised Clinton vigorous support in maintaining the king's delegated authority. The secretary was in earnest; and for the rest of his life remained true to his promise, not knowing that he was the dupe of profligate cupidity.

In a document designed for the eye of Halifax, Colden hastened to confirm the purpose. Of popular sway "the increase in the northern colonies was immeasurable." Royalty would have in New York but "the outward appearance" of authority, till a governor and "proper judges" should receive "independent salaries." "I do not imagine," he wrote in November, 1749, "that any assembly will be induced to give up the power, of which they are all so fond, by granting duties for any number of years. The authority of parliament must be made use of, and the duties on wine and West India commodities be made general for all North America." "The ministry," he added, "are not aware of the number of men in North America able to bear arms, and daily in the use of them. It becomes necessary that the colonies be early looked into, in time of peace, and regulated." Morris, the chief justice of New Jersey, interested in lands in that province, and trained by his father to a zeal for aristocratic ascendency, was much listened to. As a source of revenue, William Douglas in Boston, a Scottish physician, publicly proposed "a stamp duty upon all instruments used in law affairs;" but the suggestion had nothing of novelty. In 1728, Sir William Keith had advised extending, "by act of parliament, the duties upon parchment and stamps, to America;" and, eleven years later, the advice had been repeated by merchants in London, with solicitations that won for the proposition the consideration of the ministry.

The indefatigable Shirley, who had not prevailed with the more reasonable Pelham, became the eulogist and principal adviser of Cumberland, of Bedford, and of Halifax. Should Massachusetts reduce his emoluments, he openly threatened to appeal to "an episcopal interest, and make

himself independent of the assembly for any future support." The public mind in that province, especially in Boston, was earnestly inquiring into the active powers of man, to deduce from them the right to uncontrolled inquiry, as the only security against religious and civil bondage. Of that cause the champion was Jonathan Mayhew, offspring of purest ancestors, "sanctified" from childhood, a pupil of New England's Cambridge. "Instructed in youth," thus he spoke of himself, "in the doctrines of civil liberty, as they were taught by such men as Plato, Demosthenes, Cicero, and others, among the ancients, and such as Sydney and Milton, Locke and Hoadly, among the moderns, I liked them; and having learned from the holy Scriptures that wise, brave, and virtuous men were always friends to liberty, that God gave the Israelites a king in his anger, because they had not sense and virtue enough to like a free commonwealth, and that where the Spirit of the Lord is there is liberty, this made me conclude that freedom is a great blessing." From early life, Mayhew took to his heart the right of private judgment, clinging to it as to his religion; truth and justice he revered as realities which every human being had capacity to discern; the duty of each individual to inquire and judge he deduced from the constitution of man, and held to be as universal as reason itself. At once becoming revolutionary, he scoffed at receiving opinions because our forefathers had embraced them; and, pushing the principle of Protestantism to its universal expression, he sent forth the American mind to do its work, disburdened of prejudices. The ocean which it had crossed had broken the trail of tradition, and it was now to find its own paths and make for itself a new existence.

1750. In January, 1750, the still youthful Mayhew, himself a declared "volunteer" in the service, instinctively alarmed at the menaced encroachments of power, summoned every lover of truth and of mankind to bear a part in the defensive war against "tyranny and priestcraft." He reproved the impious bargain "between the sceptre and the surplice;" he preached resistance to "the first small beginnings of civil tyranny, lest it should swell to a

torrent and deluge empires." "The doctrines," he cried, "of the divine right of kings and non-resistance are as fabulous and chimerical as the most absurd reveries of ancient or modern visionaries." "If those who bear the title of civil rulers do not perform the duty of civil rulers, if they injure and oppress, they have not the least pretence to be honored or obeyed. If the common safety and utility would not be promoted by submission to the government, there is no motive for submission;" disobedience becomes "lawful and glorious," "not a crime, but a duty." His words were addressed to the multitude from the pulpit and through the press. The ablest citizens of Boston received the doctrine, and delighted in the friendship of the bold and fervid teacher.

The words of Mayhew were uttered at a time when "the plantations engaged the whole thoughts of the men in power," who were persuaded that all America was struggling to achieve a perfect legislative independence, and that New Jersey at least was in a state of rebellion. At a great council in February, 1750, the board of trade was commanded to propose such measures as would restore and establish the prerogative, in its utmost extent, throughout the colonies. "Bedford, the lords of trade, the privy council," all had American affairs "much at heart," and resolved to give ease to colonial governors and "their successors for ever." The plea for the interposition of the supreme legislature was found in the apprehension that a separate empire was forming. "Fools," said the elder proprietary, Penn, "are always telling their fears that the colonies will set up for themselves;" and their alarm was increased by Franklin's plan for an academy at Philadelphia. Fresh importunities succeeded each other from America; and, when Bedford sent assurances of his purpose to support the royal authority, he was referred by the crown officers of New York to the papers in the office of the board of trade, relating to Hunter, who, from 1710 to 1714, had struggled in that province for the prerogative. Under the sanction of that precedent, Clinton urged, in March, that "it was absolutely necessary to check the insolence of faction by a

powerful interposition;" and he advised imposts on wine and West India produce. "These, if granted by parliament, would be sufficient for supporting the civil list; if made general over all the colonies, they could be in no shape prejudicial to trade." He insisted that the proposition contained its own evidence of being for the service of the king. "This province," he repeated, in April, "by its example, greatly affects all the other colonies. Parliament, on a true representation of the state of the plantations, must think it their duty to make the royal officers less dependent on the assemblies, which may be easily done by granting to the king the same duties and imposts that, in the plantations, are usually granted from year to year."

Neither Bedford, nor Halifax, nor Charles Townshend, could, of a sudden, overcome the usages and policy of more than a half-century; but new developments were easily given to the commercial and restrictive system. That the colonies might be filled with slaves, who should neither trouble Great Britain with fears of encouraging political independence, nor compete in their industry with British workshops, nor leave their employers the entire security that might prepare a revolt, liberty to trade — saddest concession of freedom — to and from any part of Africa, between Sallee, in South Barbary, and the Cape of Good Hope, was, in 1750, extended to all the subjects of the king of England; but for the labor of free men new shackles were devised.

America abounded in iron ore; its unwrought iron was excluded by a duty from the English market; and its people were rapidly gaining skill at the furnace and the forge. In February, 1750, the subject engaged the attention of the house of commons. To check the danger of American rivalry, Charles Townshend was placed at the head of a committee, on which Horatio Walpole, senior, and Robert Nugent, afterwards Lord Clare, — a man of talents, yet not free from "bombast and absurdities," — were among the associates. After a few days' deliberation, he brought in a bill which permitted American iron, in its rudest forms, to be imported duty free; but, now that the nailers in the colonies could afford spikes and large nails cheaper than the

English, it forbade the smiths of America to erect any mill for slitting or rolling iron, or any plating forge to work with a tilt-hammer, or any furnace for making steel. "The restriction," said Penn, "is of most dangerous consequence to prevent our making what we want for our own use. . . . It is an attack on the rights of the king's subjects in America." William Bollan, the agent of Massachusetts, pleaded its inconsistency with the natural rights of the colonists. But, while England applauded the restriction, its owners of iron mines grudged to America a share of the market for the rough material; the tanners, from the threatened inaction of the English furnaces, feared a diminished supply of bark; the clergy and gentry foreboded injury to the price of woodlands. The importation of bar iron from the colonies was therefore limited to the port of London, which already had its supply from abroad. The ironmongers and smiths of Birmingham thought well of importing bars of iron free; but, from "compassion" to the "many thousand families in the kingdom" who otherwise "must be ruined," they prayed that "the American people" might be subject not to the proposed restrictions only, but to such others "as may secure for ever the trade to this country." Some would have admitted the raw material from no colony where its minute manufacture was carried on. The house even divided on the proposal that every slitting-mill in America should be demolished. The clause failed only by a majority of twenty-two; but an immediate return was required of every mill already existing, and the number was never to be increased.

The royalist Kennedy, a member of the council of New York, and an advocate for parliamentary taxation, publicly urged on the ministry that "liberty and encouragement are the basis of colonies." "To supply ourselves," he urged, "with manufactures is practicable; and where people in such circumstances are numerous and free, they will push what they think is for their interest, and all restraining laws will be thought oppression, especially such laws as, according to the conceptions we have of English liberty, they have no hand in controverting or making. . . . They cannot be kept

dependent by keeping them poor;" and he quoted to the ministry the counsel of Trenchard in 1722, that the way to keep them from weaning themselves was to keep it out of their will. But the mother country was more and more inclined to rely on measures of restraint and power. It began to be considered that the guard-ships were stationed in the colonies not so much for their defence as to preserve them in their dependence and prevent their illicit trade.

In the same year, Turgot, then prior of the Sorbonne, and but three-and-twenty years of age, mingled with zeal for Christianity hope in the destiny of the western world. "Vast regions of America!" he exclaimed to the assembled clergy of France, just twenty-six years before the Declaration of Independence. "Equality keeps from them both luxury and want, and preserves to them purity and simplicity with freedom. Europe herself will find there the perfection of her political societies, and the surest support of her well-being." "Colonies," added the young philosopher, "are like fruits, which cling to the tree only till they ripen: Carthage declared itself free as soon as it could take care of itself; so likewise will America." England's colonial policy was destroying itself. The same motive which prevailed to restrain colonial commerce and pursuits urged England to encroach on the possessions of France, that the future inhabitants of still larger regions might fall under English rule and pay tribute to English industry. In the mercantile system lay the seeds of a war with France for territory, and with America for independence.

But the attempt to establish that system of government, which must have provoked immediate resistance, was delayed by jealousies and divisions in the cabinet. "It goes to my heart," said the Duke of Newcastle, "that a new, unknown, factious young party is set up to rival me and nose me everywhere;" and he resolved to drive out of the administration the colleague whom he disliked, envied, and feared. The affairs of Nova Scotia served, at least, his purposes of intrigue.

The French saw with extreme anxiety the settlement at Halifax. To counteract its influence, a large force, under

the command of the sanguinary partisan, La Corne, had through the winter held possession of the isthmus of the peninsula; and found shelter among the Acadians south of the Messagouche, in Chiegnecto, or Beaubassin, now Fort Lawrence. The inhabitants of that village, although it lay beyond the limits which La Corne was instructed to defend, were compelled to take the oaths of allegiance to the French king; and, in the name of three chiefs of the Micmac Indians, orders had been sent to the Acadians, of the remoter settlements, to renounce subjection to England, and take refuge with the French.

Cornwallis, who had received the first notice of the movement from La Jonquière himself, desired immediately to recover the town. He sought aid from Massachusetts; but received for answer, that, by the constitution of that province, the assembly must first be convinced of the necessity of raising supplies; that, to insure co-operation, compulsory measures must be adopted by the British government towards all the colonies. He was therefore able to send from Halifax no more than a party of four hundred men, who, just at sunset on the twentieth of April, arrived at the entrance of what is now called Cumberland Basin. The next day the transports sailed near the harbor; the flag of the Bourbons was raised on the dikes to the north of the Messagouche; while, to the south of it, the priest La Loutre himself set fire to the church in Chiegnecto; and its despairing inhabitants, attached to their homes which stood on some of the most fertile land in the world, yet bound to France by their religion and their oaths, consumed their houses to ashes, and escaped across the river which marks the limit of the peninsula.

On Sunday, the twenty-second, Lawrence, the English commander, having landed north of the Messagouche, had an interview with La Corne, who avowed his purpose, under instructions from La Jonquière, to hold at all hazards every post as far as the river Messagouche, till the boundaries between the two countries should be settled by commissaries. He had under his command Indians, Canadians, regular troops, and Acadian refugees, to the number, it was

thought, of twenty-five hundred. The English officer was therefore compelled for his safety to embark on the very day on which he landed.

A swift vessel was despatched expressly from Halifax to inform the government that La Corne and La Loutre held possession of the isthmus; that a town, which was within the acknowledged British limits, had been set on fire; that its inhabitants had crossed over to the French side; that the refugees, able to bear arms, were organized as a military force; that the French Acadians, remaining within the peninsula, unanimously wished to abandon it, rather than take the oath of allegiance to the English king; that the savages were incited to inroads and threats of a general massacre; that the war was continued on the part of the French by all open and secret means of violence and treason. At the same time, the governments of New Hampshire and the Massachusetts Bay were informed of "the audacious proceedings" of the French, and invited to join in punishing La Corne as "a public incendiary;" but they showed no disposition to undertake dislodging the French.

In England, the Earl of Halifax insisted that the colony, of which the settlement was due to his zeal, should be supported. New settlers were collected to be carried over at the public expense; and an Irish regiment was sent, with orders that Chiegnecto should be taken, fortified, and, if possible, colonized by Protestants. Yet a marked difference of opinion existed between the lords of trade and their superior. Bedford was honorably inclined to a pacific adjustment with France; but Halifax was ready to accept all risks of war. Impatient at his subordinate position, he "heartily hated" his patron; and aspired to a seat in the cabinet, with exclusive authority in the department.

Newcastle was sure to seize the occasion to side against the Duke of Bedford. Even Pelham began to complain of that secretary's "boyishness" and inattention to business. "His office is a sinecure," said the king, who missed the pedantry of forms. It seemed as if Halifax would at once obtain the seals of the southern department, with the entire charge of the colonies. "Amongst the young ones, Halifax,"

wrote Pelham, "has the most efficient talents." "He would be more approved by the public," thought Hardwicke, "than either Holdernesse or Waldegrave." But Newcastle interposed, saying: "Halifax is the last man, except Sandwich, I should think of for secretary of state. He is so conceited of his parts, he would not be in the cabinet one month without thinking he knew as much or more of business than any one man. He is impracticable; . . . the most odious man in the kingdom. . . . A man of his life, spirit, and temper, will think he knows better than anybody." Newcastle would have none of "that young fry;" and yet he would be rid of Bedford. "I am, I must be an errant cipher of the worst sort," said he in his distress, "if the Duke of Bedford remains coupled with me as secretary of state." To get rid of Bedford was still to him "the great point," "the great point of all," more than the choice of the next emperor of Germany, and more than a war with the Bourbons.

The two dukes remained at variance, leaving Cornwallis to "get the better in Nova Scotia without previous concert with France." In August, a second expedition left Halifax to take possession of Chiegnecto. Indians and Acadian refugees, aided, perhaps, by French in disguise, altogether very few in number, had intrenched themselves strongly behind the dikes, and opposed its landing; nor were they dislodged without an intrepid assault, in which six of the English were killed and twelve wounded. Thus was blood first shed after the peace of Aix-la-Chapelle. Fort Lawrence was now built on the south of the Messagouche; but the French had already fortified the opposite bank at Fort Beau Séjour as well as at Bay Verte. Having posts also at the mouth of the St. John's River and the alliance of the neighboring Indians, they held the continent from Bay Verte to the borders of the Penobscot.

Such was the state of occupancy, when in September, at Paris, Shirley, who had been placed at the head of the British commission, presented a memorial, claiming for the English all the land east of the Penobscot and south of the St. Lawrence, as constituting the ancient Acadia. The claim,

in its full latitude, by the law of nations, was preposterous; by a candid interpretation of treaties, was untenable. In their reply to the British claim, the French commissaries, in like manner disregarding the obvious construction of treaties, narrowed Acadia to the strip of land on the Atlantic, between Cape St. Mary and Cape Canso.

There existed in France statesmen who thought Canada itself an incumbrance, difficult to be defended, entailing expenses more than benefits. But La Galissonière pleaded to the ministry, that honor, glory, and religion forbade the abandonment of faithful and affectionate colonists, and the renunciation of the great work of converting the infidels of the wilderness; that Detroit was the natural centre of a boundless inland commerce; that the country of Illinois, in a delightful climate, was an open prairie, waiting for the plough; that Canada and Louisiana were the bulwarks of France in America against English ambition. De Puysieux, the French minister for foreign affairs, like the English secretary, Bedford, was earnestly desirous of avoiding war; but a fresh collision in America touched the sense of honor of the French nation, and made negotiation hopeless.

A French brigantine with a schooner, laden with provisions and warlike stores, and bound from Quebec to the river St. John's, was met by Rous in the British ship-of-war "Albany," off Cape Sable. He fired a gun to bring her to; she kept on her course: he fired another and a third; and the brigantine prepared for action. The English instantly poured into her a broadside and a volley of small arms; and, after a short action, compelled her to strike. The "Albany" had a midshipman and two mariners killed; the French lost five men. The brigantine was taken to Halifax, and condemned in the admiralty court. On the side of France, indignation knew no bounds; it seemed that its flag had been insulted, its maritime rights disregarded, its men wantonly slain in time of peace, its property piratically seized and confiscated.

The territory which is now Vermont was equally in dispute; New York carried its limits to the Connecticut River; France, which had command of Lake Champlain, ex-

tended her pretensions to the crest of the Green Mountains; while Wentworth, the only royal governor in New England, began to convey the soil between the Connecticut and Lake Champlain by grants under the seal of New Hampshire.

A deeper interest hung over the region drained by the Ohio. What language shall be the mother tongue of its future millions? Shall the Romanic or the Teutonic race form the seed of its people? This year, Thomas Walker, of Virginia, conducted an exploring party into the south-west, and gave the name of Cumberland to a range of mountains, a pass, and a river; Ambrose Powell carved on a beech-tree his name, which is still borne by a river and a valley.

For their friends and allies on the north of the Ohio, against whom the French were making preparations, the Six Nations asked the protection of New York. After concert with the governor of Pennsylvania, Clinton, in September, 1750, appealed to the assembly for means to confirm their Indian alliances, and to assist "in securing the fidelity of the Indians on Ohio River." The assembly refused; and the Onondagas, whose chief was a professed Roman Catholic, whose castles contained a hundred neophytes, whose warriors glittered in brave apparel from France, scoffed with one another at the parsimonious colonists.

The French, by their system of administration, insured obedience to "one council and one voice." To counteract their designs, the best minds in New York and other provinces were devising methods for "uniting the colonies on the main." Of all the southern provinces, South Carolina was most ready to join with the rest of the continent. Doubting whether union could be effected "without an immediate application to his majesty for that purpose," the council of New York still determined that the governor "should write to all the governors upon the continent, that have Indian nations in their alliance, to invite commissioners from their respective governments" to meet the savage chiefs at Albany. But, from what Clinton called "the penurious temper of American assemblies," this invitation was not generally accepted, though it forms one important step in the progress of America towards union.

While Pennsylvania, in strife with its proprietaries, neglected its western frontier, the Ohio company of Virginia, profiting by the intelligence of Indian hunters, who had followed every stream to its head-spring and crossed every gap in the mountain ranges, discovered the path by Will's Creek to the Ohio. Their stores of goods, in 1750, were carried no further than that creek. There they were sold to traders, who, with rivals from Pennsylvania, penetrated the west as far as the Miamis.

To search out and discover the lands westward of "the Great Mountains," the Ohio company summoned the adventurous Christopher Gist from his frontier home on the Yadkin. He was instructed to examine the western country as far as the falls of the Ohio; to look for a large tract of good level land; to mark the passes in the mountains; to trace the courses of the rivers; to count the falls; to observe the strength and numbers of the Indian nations.

On the last day of October, the bold messenger of civilization parted from the Potomac. He passed through snows over "the stony and broken land" of the Alleghanies; he halted among the twenty Delaware families that composed Shanoppin's town on the south-east side of the Ohio; swimming his horses across the river, he descended through the rich but narrow valley to Logstown. "You are come," said the jealous people, "to settle the Indians' lands: you never shall go home safe." Yet they respected him as a messenger from the English king. From the Great Beaver Creek he crossed to the Muskingum, killing deer and wild turkeys. On Elk's Eye Creek he found a village of the Ottawas, friends to the French. The hundred families of Wyandots, or Little Mingoes, at Muskingum, were divided; one half adhering to the English. George Croghan, the emissary from Pennsylvania, was already there; and traders came with the news that two of his people were taken by a party of French and Indians, and carried to the new fort at Sandusky. "Come and live with us," said the Wyandots to Gist; "bring great guns and make a fort. If the French claim the branches of the lakes, those of the Ohio belong to us and our brothers, the English." When they heard that

still another English trader had been taken, they would have killed three French deserters for revenge. In January, 1751, after a delay of more than a month, 1751. the Wyandots held a council at Muskingum; but, while they welcomed the English agents, and accepted their strings of wampum, they deferred their decision to a general council of their several nations. Leaving the Wyandots, and crossing at White Woman's Creek, where had long stood the home of a weary New England captive, the agent of Virginia reached the last town of the Delawares, five miles above the mouth of the Scioto. These, like the others of their tribe, who counted in all five hundred warriors, promised good-will and love to the English.

Just below the mouth of the Scioto lay the houses of the Shawnees, on each side of the Ohio. Their room of state was on the north side, in length ninety feet, roofed with bark. They gratefully adhered to the English, who had averted from them the wrath of the Six Nations.

From the Shawnee town the envoys of the English world crossed the Little Miami, and journeyed in February towards the Miami River; first of white men on record, they saw that the land beyond the Scioto, except the first twenty miles, is rich and level, bearing walnut-trees of huge size, the maple, the wild cherry, and the ash; full of little streams and rivulets; variegated by beautiful natural prairies, covered with wild rye, blue grass, and white clover. Turkeys abounded, and deer, and elks, and most sorts of game; of buffaloes, thirty or forty were frequently seen feeding in one meadow. "Nothing," they cried, "is wanting but cultivation to make this a most delightful country." Their horses swam over the swollen current of the Great Miami; on a raft of logs they transported their goods and saddles; outside of the town of the Picqualennees, the warriors came forth with the peace-pipe, to smoke with them the sacred welcome. They entered the village with the English colors, were received as guests into the king's house, and planted the red cross upon its roof.

The Miamis were the most powerful confederacy of the west, excelling the Six Nations, with whom they were in

amity. Each tribe had its own chief; of whom one, at that time the chief of the Piankeshaws, was chosen indifferently to rule the whole nation. They formerly dwelt on the Wabash, but, for the sake of trading with the English, drew nearer the east. Their influence reached to the Mississippi, and they received frequent visits from tribes beyond that river. The town of Picqua contained about four hundred families, and was one of the strongest in that part of the continent.

On the night of the arrival of the envoys from Virginia and Pennsylvania, two strings of wampum, given at the Long House of the villages, removed trouble from their hearts and cleared their eyes; and four other belts confirmed the message from the Wyandots and Delawares, commending the English to their care.

In the days that followed, the traders' men helped the men of Picqua repair their fort; and distributed clothes and paint, that they might array themselves for the council. When it was told that deputies from the Wawiachtas, or, as we call them, Weas, and from the Piankeshaws, were coming, deputies from the Picquas went forth to meet them. The English were summoned to the Long House, to sit for a quarter of an hour in the silence of expectation, when two from each tribe, commissioned by their nations to bring the long pipe, entered with their message and their calumet.

On the twenty-first of February, after a distribution of presents, articles of peace and alliance were drawn up between the English of Pennsylvania on the one side, and the Weas and Piankeshaws on the other; were signed and sealed in duplicate, and delivered on both sides. All the friendly tribes of the west were to meet the next summer at Logstown, for a general treaty with Virginia.

The indentures had just been exchanged, when four Ottawas drew near, with a present from the governor of Canada; were admitted to the council, and desired a renewal of friendship with their fathers, the French. The king of the Piankeshaws, setting up the English colors in the council, as well as the French, rose and replied: "The path to the French is bloody, and was made so by them. We have

cleared a road for our brothers, the English; and your fathers have made it foul, and have taken some of our brothers prisoners." They had seized three at the Huron village near Detroit, and one on the Wabash. "This," added the king, "we look upon as done to us;" and, turning suddenly from them, he strode out of the council. At this, the representative of the French, an Ottawa, wept and howled, predicting sorrow for the Miamis.

To the English, the Weas and Piankeshaws, after deliberation, sent a speech by the great orator of the Weas. "You have taken us by the hand," were his words, "into the great chain of friendship. Therefore we present you with these two bundles of skins to make shoes for your people, and this pipe to smoke in, to assure you our hearts are good towards you, our brothers."

In the presence of the Ottawa ambassadors, the great war-chief of Picqua stood up, and, summoning in imagination the French to be present, he spoke: "Fathers! you have desired we should go home to you, but I tell you it is not our home; for we have made a path to the sun-rising, and have been taken by the hand by our brothers, the English, the Six Nations, the Delawares, the Shawnees, and the Wyandots; and, we assure you, in that road we will go. And, as you threaten us with war in the spring, we tell you, if you are angry, we are ready to receive you, and resolve to die here, before we will go to you. That you may know this is our mind, we send you this string of black wampum.

"Brothers, the Ottawas, you hear what I say: tell that to your fathers, the French; for that is our mind, and we speak it from our hearts."

The French colors are taken down; the Ottawas are dismissed to the French fort at Sandusky. The Long House, late the senate-chamber of the united Miamis, rings with the music and the riotous motions of the feather-dance. A war-chief strikes a post: the music ceases, and the dancers, on the instant, are hushed to silent listeners; the brave recounts his deeds in war, and proves the greatness of his mind by throwing presents lavishly to the musicians and the dancers. Then the turmoil of joy is renewed, till an-

other warrior rises to boast his prowess, and scatter gifts in his turn.

Thus February came to an end. On the first day of March, Gist took his leave. The Miamis, resolving never to give heed to the words of the French, sent beyond the Alleghanies this message: "Our friendship shall stand like the loftiest mountain."

The agent of the Ohio company gazed with rapture on the valley of the Great Miami, "the finest meadows that can be." He was told that the land was not less fertile to the very head-springs of the river, and west to the Wabash. He descended to the Ohio by way of the Little Miami, still finding many "clear fields," where herds of forty or fifty buffaloes were feeding together on the wonderfully tall grasses. When within fifteen miles of the falls at Louisville, he checked his perilous course; and taking with him, as a trophy, the tooth of a mammoth, then a novel wonder, he passed up the valley of the Kentucky River, and, through a continuous ledge of rocks and almost inaccessible hills and laurel thickets, found a path to the Bluestone. He paused, on his way, to climb what is now called "The Hawk's Nest," whence he could "see the Kanawha burst through the next high mountain;" and having proposed the union, and appointed at Logstown a meeting of the Mingoes, the Delawares, the Wyandots, the Shawnees, and the Miami nations, with the English, he returned to his employers by way of the Yadkin and the Roanoke.

In April, 1751, Croghan again repaired to the Ohio Indians. The half-king, as the chief of the mixed tribe on the branches of the Ohio was called, in token of his subordination to the Iroquois confederacy, reported that the news of the expedition under Celoron had swayed the Onondaga council to allow the English to establish a trading-house; and a belt of wampum invited Hamilton, of Pennsylvania, to build a fort at the forks of Monongahela.

CHAPTER IV.

AMERICA REFUSES TO BE RULED BY ARBITRARY INSTRUCTIONS. PELHAM'S ADMINISTRATION CONTINUED.

1751–1753.

The British ministry, engrossed by intrigues at home, gave little heed to the glorious country beyond the Alleghanies. Having failed in the attempt to subject the colonies by act of parliament to all future orders of the king, the lords of trade sought to gain the same end in detail. Rhode Island, a charter government, of which the laws were valid without the assent of the king, continued to emit paper currency; and the more freely, because Massachusetts had withdrawn its notes and returned to hard money. In 1742, twenty-eight shillings of Rhode Island currency would have purchased an ounce of silver; seven years afterwards, it required sixty shillings: compared with sterling money, the depreciation was as ten and a half or eleven to one. This was pleaded as the justification of the board of trade, who, in March, 1751, presented a bill to restrain bills of credit in New England, with an additional clause giving the authority of law to the king's instructions on that subject. In "the dangerous precedent," Bollan, the agent for Massachusetts, discerned the latent purpose of introducing by degrees the same authority to control other articles. He argued, moreover, that "the province had a natural and lawful right to make use of its credit for its defence and preservation." New York also urged "the benefit of a paper credit." Before the bill was engrossed, the obnoxious clause was abandoned. Yet there seemed to exist in the minds of "some persons of consequence" a fixed design of getting a parliamentary sanction to the

king's instructions; and the scheme was conducted with great perseverance and art.

Meantime, parliament, on the motion of Lord Chesterfield, changed the commencement of the year, and regulated the calendar for all the British dominions. As the earth and the moon, in their annual rounds, differed by eleven days from the English reckoning of time, the legislature of a Protestant kingdom, after centuries of obstinacy, submitted to be taught by the heavens, and adopted the calendar as amended by a pope of Rome.

The board of trade was all the while maturing its scheme for an American civil list. The royal prerogative was still the mainspring in their system. With Bedford's approbation, they advised the appointment of a new governor for New York, with a stricter commission and instructions; the New York legislature should be ordered to grant a permanent revenue, to be disbursed by royal officers, and sufficient for Indian presents, as well as for the civil list. At the same time, it was resolved to obtain an American revenue by acts of parliament. The discriminating duties in favor of the British West Indies, "given and granted" by parliament in 1733, on the products of the foreign West India Islands imported into the continental colonies, were prohibitory, and had never been collected. The trade was pursued with no more than an appearance of disguise; and Newcastle, who escaped from the solicitations and importunities of the British West Indians by conceding the law, avoided the reproaches of the colonists by never enforcing it.

This forbearance is, in part, also, due to the moderation which marked the character of Sir Robert Walpole. He rejected the proposition for a colonial stamp-tax, being content with the tribute to British wealth from colonial commerce; and he held that the American evasions of the acts of trade, by enriching the colonies, did but benefit England, which was their final mart; but can a minister excuse his own acts of despotic legislation by his neglect to enforce them? The administration of Sir Robert Walpole had left English statutes and American practice more at variance than ever.

Woe to the British statesman who should hold it a duty to give effect to the British laws!

In 1740, Ashley, a well-informed writer, had proposed to establish a fund by such "an abatement of the duty on molasses imported into the northern colonies" as would make it cease to be prohibitory. Opinions were changing on the subject of a stamp-tax; and the board of trade, in 1751, entered definitively on the policy of regulating trade, so as to uproot illicit traffic, and, under the guise of lenity, obtain an American revenue by the collection of more moderate imposts.

But the interposition of parliament was delayed; for the intrigue to drive Bedford from the cabinet had come to maturity. His neglect of the forms of office had vexed the king; his independence of character had offended the king's mistress. Sandwich, his friend, was dismissed from the admiralty. Admitted in June to an audience at court, Bedford inveighed long and vehemently against his treacherous colleague, and resigned. His successor was the Earl of Holdernesse, a very courtly peer, proud of his rank, formal, and of talents which could not disquiet Newcastle or alarm America. Besides, no energetic system of colonial administration could be adopted, without the aid of the friends of Bedford.

During these changes, everybody shunned the charge of securing the valley of the Ohio. Of the Virginia company the means were limited. The assembly of Pennsylvania, from motives of economy, refused to ratify the treaty which Croghan had negotiated at Picqua; while the proprietaries of that province denied their liability "to contribute to Indian or any other expenses," and sought to cast the burden of a western fort on the equally reluctant "people of Virginia." New York could but remonstrate with the governor of Canada.

At the appointed time in July, the deputies of the Six Nations came down to Albany to renew their covenant chain, and to chide the inaction of the English. When the congress, which Clinton had invited to meet the Iroquois, assembled at Albany, South Carolina came, for the first time,

to join in council with New York, Connecticut, and Massachusetts, — its earliest movement towards confederation. From the Catawbas, hereditary foes to the Six Nations, deputies attended to hush the war-song that for so many generations had lured their chiefs along the Blue Ridge to Western New York. They approached the grand council, singing words of reconciliation; bearing colored feathers, not erect, as in defiance, but horizontally, as with friends. Their great chief was the first to smoke the peace-pipe which he had lighted; then Hendrick, of the Mohawks; and all the principal sachems, in succession. Nor was the council dismissed, till the hatchet was buried irrecoverably deep, and a tree of peace planted, which was to be ever green as the laurel on the Alleghanies, and to spread its branches till its shadows should reach from the Great Lakes to the Gulf of Mexico.

The French, on their side, sent priests to proselyte the Six Nations, and traders to undersell the British; in the summer of 1751, they launched an armed vessel of unusual size on Lake Ontario, and converted their trading-house at Niagara into a fortress; they warned the governor of Pennsylvania, that the English never should make a treaty in the basin of the Ohio; they sent troops to prevent an intended congress of red men; and they resolved to ruin the English interest in the remoter west by taking vengeance on the Miamis.

Yet Louis XV. disclaimed hostile intentions; to the British minister at Paris he expressed concern that any cause of offence had arisen, and affirmed his purpose of peace. De Puysieux, who, on the part of France, was responsible for the treaty of Aix-la-Chapelle, a man of honor, though not of ability, was equally disinclined to disturb the public tranquillity. But Saint-Contest, who, in September, 1751, succeeded him, though a feeble statesman and fond of peace, aimed at a federative maritime system against England; and Rouillé, the minister of the marine department, loved war and prepared for it. Spain wisely kept aloof. "By antipathy, and from interest," said the Marquis of Ensenada, the considerate minister of Ferdinand VI., "the

French and English will be enemies, for they are rivals for universal commerce;" and he urged on his sovereign seasonable preparations, that he might, by neutrality, recover Gibraltar, and become the arbiter of the civilized world.

Every thing portended a conflict between England and France along their frontiers in America. To be prepared for it, Clinton's advisers recommended to secure the dominion of Lake Ontario, by an armed sloop and by forts upon its shore. But, it was asked, how is the expense to be defrayed? And the question did but invite from the governor of New York new proposals for "a general duty by act of parliament; because it would be a most vain imagination to expect that all the colonies would severally agree to impose it."

The receiver-general of New York, Archibald Kennedy, urged, through the press, "an annual meeting of commissioners from all the colonies, at New York or Albany;" and advised an increase of the respective quotas, and the enlargement of the union, so as to comprise the Carolinas. "From upwards of forty years' observation upon the conduct of provincial assemblies, and the little regard paid by them to instructions," he inferred that "a British parliament must oblige them to contribute, or the whole would end in altercation and words."

"A voluntary union," said a voice from Philadelphia, in March, 1752, which I believe to have been Franklin's, "a voluntary union, entered into by the colonies themselves, would be preferable to one imposed by parliament; for it would be, perhaps, not much more difficult to procure, and more easy to alter and improve, as circumstances should require and experience direct. It would be very strange if six nations of ignorant savages should be capable of forming a scheme for such a union, and be able to execute it in such a manner as that it has subsisted for ages, and appears indissoluble; and yet that a like union should be impracticable for ten or a dozen English colonies, to whom it is more necessary, and must be more advantageous." 1752.

While the people of America were becoming familiar

with the thought of one voluntary confederacy, the government of England took a decisive step towards that concentration of power over its remote dominions, which for thirty years had been the avowed object of the board of trade. Halifax, with his colleagues, of whom Charles Townshend was the most enterprising and most rash, was vested with the entire patronage and correspondence belonging to American affairs, except that on important matters governors might still address the secretary of state, through whom, also, nominations to offices were to be laid before the king. Nor did the board of trade delay to exercise its functions, being resolved to attach large emoluments, independent of American acts of assembly, to all the offices, of which they had now acquired the undivided and very lucrative patronage.

But, in the moment of experiment, delay arose from the state of relations with France. Danger lowered on the whole American frontier. In the early summer of 1752, John Stark, of New Hampshire, as fearless a young forester as ever bivouacked in the wilderness, of a rugged nature, but of the coolest judgment, was trapping beaver along the brooks of his native highlands, when a party of St. Francis Indians stole upon his steps, and scalped one of his companions. He himself, by courage and good humor, won the love of his captors, was saluted by their tribe as a young chief, and for a ransom was set free.

The Ohio company, with the sanction of the legislature of Virginia, were forming a settlement beyond the mountains. Gist had, on a second tour, explored the lands southeast of the Ohio, as far as the Kanawha. But the jealous deputy of the Delaware chiefs exclaimed: "Where lie the lands of the Indians? The French claim all on one side of the river, and the English on the other."

Virginia, under the treaty of Lancaster, of 1744, assumed the right to lands as far west as the Mississippi. In May, 1752, her commissioners met chiefs of the Mingoes, Shawnees, and Ohio Indians, at Logstown. It was pretended that chiefs of the Six Nations were present; but, at a general meeting at Onondaga, they had resolved that it did not

suit their customs "to treat of affairs in the woods and weeds." "Now," said the half-king, "we see and know that the French design to cheat us out of our lands. They plan nothing but mischief, for they have struck our friends, the Miamis: we therefore desire our brothers of Virginia may build a strong house at the fork of Monongahela."

In pursuance of the resolve to exclude the English from the valley of the Miami, on the morning of the summer solstice, two Frenchmen, with two hundred and forty French Indians, leaving thirty Frenchmen as a reserve, suddenly appeared before the town of Picqua, when most of the people were absent, hunting; and demanded the surrender of the English traders and their effects. The king of the Piankeshaws replied: "They are here at our invitation; we will not do so base a thing as to deliver them up." The French party assaulted the fort; the Piankeshaws bravely defended themselves and their guests, but were overwhelmed by numbers. One white man was killed, and five were taken prisoners; of the Miamis, fourteen were killed; the king of the Piankeshaws, the great chief of the whole confederacy, was sacrificed and eaten.

When William Trent, the messenger of Virginia, proceeded from the council-fires at Logstown to the Picqua, he found the French colors flying over its deserted ruins. Having substituted the English flag, he returned to the Shawnee town, at the mouth of the Scioto, where the messengers of the allied tribes met for condolence and concert in revenge.

"Brothers," said the Delawares to the Miamis, "we desire the English and the Six Nations to put their hands upon your heads, and keep the French from hurting you. Stand fast in the chain of friendship with the government of Virginia."

"Brothers," said the Miamis to the English, "your country is smooth; your hearts are good; the dwellings of your governors are like the spring in its bloom."

"Brothers," they added to the Six Nations, holding aloft a calumet ornamented with feathers, "the French and their Indians have struck us, yet we kept this pipe unhurt;" and

they delivered it to the Six Nations, in token of friendship with them and with their allies.

A shell and a string of black wampum were given to signify the unity of heart; and that, though it was darkness to the westward, yet towards the sun-rising it was bright and clear. Another string of black wampum announced that the Miamis held the hatchet in their hand, ready to strike the French. The widowed queen of the Piankeshaws sent a belt of black shells intermixed with white. "Brothers," such were her words, "I am left a poor, lonely woman, with one son; I pray the English, the Six Nations, the Shawnees, and the Delawares to take care of him."

The Weas produced a calumet. "We have had this feathered pipe," said they, "from the beginning of the world; so that, when it becomes cloudy, we can sweep the clouds away. It is dark in the west; yet we sweep all clouds away towards the sun-rising, and leave a clear and serene sky."

Thus in Western Ohio began the contest that was to scatter death broadcast through the world. All the speeches were repeated to the deputies of the nations represented at Logstown, that they might be pronounced correctly before the head council at Onondaga. A messenger from the Miamis hurried across the mountains, bearing to the shrewd and able Dinwiddie, the lieutenant-governor of Virginia, a belt of wampum, the scalp of a French Indian, and a feathered pipe, with letters from the dwellers on the Maumee and on the Wabash. "Our good brothers of Virginia," said the former, "we must look upon ourselves as lost, if our brothers, the English, do not stand by us and give us arms." "Eldest brother," pleaded the Picts and Windaws, "this string of wampum assures you that the French king's servants have spilled our blood, and eaten the flesh of three of our men. Look upon us, and pity us; for we are in great distress. Our chiefs have taken up the hatchet of war. We have killed and eaten ten of the French and two of their negroes. We are your brothers; and do not think this is from our mouth only; it is from our very hearts."

In December, 1752, Dinwiddie made an elaborate report

to the board of trade, and asked specific instructions to regulate his conduct in resisting the French. The possession of the Ohio valley he foresaw would fall to the Americans, from their numbers and the gradual extension of their settlements, for whose security he recommended a barrier of western forts; and urged an alliance with the Miamis, to whom he offered to deliver presents in person.

The aged and undiscerning German prince who still sat on the British throne, methodically narrow, swayed by his mistress more than by his minister, meanly avaricious and spiritless, disliked to gather round him the ablest statesmen, and cared more for Hanover than for America. His ministers were intent only on keeping in power. "To be well together with Lady Yarmouth," Pelham wrote, "is the best ground to stand on." "If the good-will of the king's mistress shakes," continued England's prime minister to its principal secretary of state, "we have no resource." The whig aristocracy had held exclusive possession of the government for nearly forty years; its authority was now culminating; and it had nothing better to offer the British people than an administration which openly spoke of seats in parliament as "a marketable commodity," and governed the king by paying court to his vices.

The heir to the throne was a boy of fourteen, of whose education royalists and the more liberal aristocracy were disputing the charge. His birth occurred within less than ten months of that of his eldest sister; and his organization was marked by a nervous irritability, which increased with years. "He shows no disposition to any great excess," said Dodington to his mother. "He is a very honest boy," answered the princess, who still wished him "more forward and less childish." "The young people of quality," she added, "are so ill-educated and so very vicious that they frighten me;" and she secluded her son from their society. The prince, from his own serious nature, favored this retirement; when angry, he would hide his passion in the solitude of his chamber; and, as he grew up, his strict sobriety and fondness for domestic life were alike observable. He never loved study. "I am afraid," said his mother, "his precep-

tors teach him not much." "I do not much regard books," rejoined her adviser, Dodington; "but his royal highness should be informed of the general frame of this government and constitution, and the general course of business." "I am of your opinion," answered the princess. "I know nothing," she added, "of the Jacobitism attempted to be instilled into the child; I cannot conceive what they mean;" for to a German princess the supremacy of regal authority seemed a tenet very proper to be inculcated. But Lord Harcourt, the governor, "complained strongly to the king that arbitrary principles were instilled into the prince;" and the Earl of Waldegrave, Harcourt's successor, "found Prince George uncommonly full of princely prejudices, contracted in the nursery, and improved by the society of bed-chamber women and pages of the back stairs. A right system of education seemed impracticable."

The communication of Dinwiddie, unheeded by the king, found the lords of trade bent on sustaining the extended limits of America. In the study of the western world, no one of them was so indefatigable as Charles Townshend. The elaborate memorial on the limits of Acadia, delivered
1753. in Paris, by the English commissioners, in January, 1753, was entirely his work, and, though unsound in its foundation, won for him great praise for research and ability. He now joined his colleagues in advising the immediate occupation of the eastern bank of the Ohio.

Many proposals were "made for laying taxes on North America." The board of trade still urged "a revenue with which to fix settled salaries on the northern governors, and defray the cost of Indian alliances." "Persons of consequence," we are told, "repeatedly, and without concealment, expressed undigested notions of raising revenues out of the colonies." Some proposed to obtain them from the post-office, a modification of the acts of trade, and a general stamp act for America. With Pelham's concurrence, the board of trade, on the eighth day of March, 1753, announced to the house of commons the want of a colonial revenue; as the first expedient, it was proposed to abolish the export duty in the British West Indies, from which no revenue

accrued; and, with a slight discrimination in their favor, to substitute imposts on all West Indian produce brought into the northern colonies. This project was delayed only for the adjustment of its details.

Meantime, at Winchester, a hundred Indians of Ohio renewed to Virginia the proposal for an English fort on the Ohio, and promised aid in repelling the French. They repaired to Pennsylvania with the same message, and were met by evasions. The ministry, which had, from the first, endeavored to put upon America the expenses of Indian treaties and of colonial defence, continued to receive early and accurate intelligence from Dinwiddie. The king in council, swayed by the representations of the board, decided that the valley of the Ohio was in the western part of the colony of Virginia; and that "the march of certain Europeans to erect a fort in parts" of his dominions was to be resisted; but the cabinet, with Holdernesse and Newcastle for its guides, took no effective measures to support the decree. It only instructed Virginia, by the whole or a part of its numerous militia, at the cost of the colony itself, to build forts on the Ohio; to keep the Indians in subjection; and to repel and drive out the French by force. France was defied and attacked, with no preparation beyond a secretary's letters and the king's instructions. A general but less explicit circular was also sent to every one of the colonies, vaguely requiring them to aid each other in repelling all encroachments of France on "the undoubted" territory of England.

This is the time chosen by the board of trade for the one last great effort to conduct the American administration by means of the prerogative. New York remained the scene of the experiment; and Sir Danvers Osborne, brother-in-law to the Earl of Halifax, having Thomas Pownall for his secretary, was commissioned as its governor, with instructions which were "advised" by Halifax and Charles Townshend, and were confirmed by the king in council.

The new governor, just as he was embarking, was also charged "to apply his thoughts very closely to Indian affairs;" and hardly had he sailed, when, in September,

the lords of trade directed commissioners from the northern colonies to meet the next summer at Albany, and make a common treaty with the Six Nations.

During the voyage across the Atlantic, Osborne, already reeling with private grief, brooded despondingly over the task he had assumed. On the tenth of October, he took the oaths of office at New York; and the people, who welcomed him with acclamations, hooted his predecessor. "I expect the like treatment," said he to Clinton, "before I leave the government." On the same day, he was startled by an address from the city council, who declared they would not "brook any infringement of their inestimable liberties, civil and religious." On the next, he communicated to the council his instructions, which required the assembly "to recede from all encroachments on the prerogative," and "to consider, without delay, of a proper law for a permanent revenue, solid, definite, and without limitation." All public money was to be applied by the governor's warrant, with the consent of council, and the assembly was never to be allowed to examine accounts. With a distressed countenance and a plaintive voice, he asked if these instructions would be obeyed. All agreed that the assembly never would comply. He sighed, turned about, reclined against the window-frame, and exclaimed: "Then why am I come here?"

1753.

Being of morbid sensitiveness, honest, and scrupulous of his word, the unhappy man spent the night in arranging his private affairs, and towards morning hanged himself against the fence in the garden. His death left the government in the hands of James Delancey, a man of ability and great possessions. A native of New York, of Huguenot ancestry, he had won his way to political influence as the leader of opposition in the colonial assembly; and Newcastle had endeavored to conciliate his neutrality by a commission as lieutenant-governor. He discerned and acknowledged that the custom of annual grants could never be surrendered. "Dissolve us as often as you will," said his old associates in opposition, "we will never give it up." But they consented that all disbursements of public money should require the

warrant of the governor and council, except only for the payment of their own clerk and their agent in England. The instructions given to Osborne, Charles Townshend was ready to defend to the last; but the younger Horace Walpole judged them "better calculated for the latitude of Mexico and for a Spanish tribunal, than for free, rich British settlements, in such opulence and haughtiness that suspicions had long been conceived of their meditating to throw off their dependence on the mother country."

While Great Britain was thus marching toward the loss of her colonies, the Earl of Chesterfield wrote: "This I foresee in France, that, before the end of this century, the trade of both king and priest will not be half so good a one as it has been." "In short, all the symptoms which I have ever met with in history, previous to great changes and revolutions in government, now exist and daily increase in France."

CHAPTER V.

FRANKLIN PLANS UNION FOR THE AMERICAN PEOPLE. PELHAM'S ADMINISTRATION CONTINUED.

1753–1754.

1753. FROM Virginia, the Ohio company, in 1753, opened a road by Will's Creek into the western valley; and Gist established a plantation near the Youghiogeny, just beyond Laurel Hill. Eleven families settled in his vicinity; a town and fort were marked out on Shurtee's Creek, but the British government left the feeble company exposed to the red men and to the French.

The young men of the Six Nations had been hunting near the Rapids of the St. Lawrence. Suddenly they beheld a large body of French and Indians, equipped for war, marching towards Ontario; and their two fleetest runners hurried through the forest, as messengers to the grand council at Onondaga. In eight-and-forty hours the decision of the council was borne by fresh posts to the nearest English station; and on the nineteenth of April, at midnight, the two Indians from Canajoharie, escorted by Mohawk warriors, that filled the air with their whoops and halloos, presented to Johnson the belt summoning the English to protect the Ohio Indians and the Miamis. In May, more than thirty canoes were counted as they passed Oswego; part of an army going to "the Beautiful River" of the French. The Six Nations foamed with eagerness to take up the hatchet; for, said they, "Ohio is ours."

On the report that a body of twelve hundred men had been detached from Montreal, by the brave Duquesne, the successor of La Jonquière, to occupy the Ohio valley, the Indians on the banks of that river, — promiscuous bands of

Delawares, Shawnees, and Mingoes, or emigrant Iroquois, — after a council at Logstown, resolved to protest against the invasion. Their envoy met the French, in April, at Niagara, and gave them the first warning to turn back.

As the message sent from the council-fires of the tribes was unheeded, Tanacharisson, the half-king, repaired to them at the newly discovered harbor of Erie, and, undismayed by a rude reception, delivered his speech: "Fathers! you are disturbers in this land, by taking it away unknown to us and by force. This is our land, and not yours. Fathers! both you and the English are white; we live in a country between. Therefore the land belongs to neither the one nor the other of you; but the Great Being above allowed it to be a dwelling-place for us: so, fathers, I desire you to withdraw, as I have done our brothers, the English;" and he gave the belt of wampum.

"Child," replied the French officer, "you talk foolishly; you say this land belongs to you; but not so much of it as the black of your nail is yours. It is my land; and I will have it, let who will stand up against it;" and he threw back the wampum. His words dismayed the half-king.

In September, the mightiest men of the Mingo clan, of the Delawares, the Shawnees, the Wyandots, and the Miamis, met Franklin, of Pennsylvania, and his two colleagues, at Carlisle. They wished neither French nor English to settle in their country; if the English would lend aid, they would repel the French. The calm statesman distributed presents to all, but especially gifts of condolence to the tribe that dwelt at Picqua; and, returning, he made known that the French had established posts at Erie, Waterford, and Venango, and were preparing to occupy the banks of the Monongahela.

Sanctioned by orders from the king, Dinwiddie, of Virginia, resolved to send "a person of distinction to the commander of the French forces on the Ohio River, to know his reasons for invading the British dominions, while a solid peace subsisted." The envoy whom he selected was George Washington. The young man, then just twenty-one, familiar with the wilderness, and as heroic as La Salle, entered

with alacrity on the perilous winter's journey from Williamsburg to the streams of Lake Erie.

In the middle of November, with an interpreter and four attendants, and Christopher Gist, as a guide, he left Will's Creek; and following the Indian trace through gloomy solitudes, crossing mountains, rocky ravines, and streams, through sleet and snows, he rode in nine days to the fork of the Ohio. How lonely was the spot, where, so long unheeded of men, the rapid Alleghany met nearly at right angles "the deep and still" Monongahela! "I spent some time," said Washington, "in viewing the rivers;" "the land in the fork has the absolute command of both." "The flat, well-timbered land all around the point lies very convenient for building." After creating in imagination a fortress and a city, he and his party swam their horses across the Alleghany, and wrapt their blankets around them for the night, on its north-west bank.

1755. Nov. 23.

From the fork, the chief of the Delawares conducted Washington through rich alluvial fields to the valley at Logstown. There deserters from Louisiana discoursed of the route from New Orleans to Quebec, along the Wabash and the Maumee, and of a detachment from the lower province on its way to meet the French troops from Lake Erie, while Washington held close colloquy with the half-king; the one anxious to gain the west as a part of the territory of the Ancient Dominion, the other to preserve it for the red men. "We are brothers," said the half-king, in council; "we are one people; I will send back the French speech-belt, and will make the Shawnees and the Delawares do the same."

On the night of the twenty-ninth of November, the council-fire was kindled; an aged orator was selected to address the French; the speech which he was to deliver was debated and rehearsed; it was agreed that, unless the French would heed this third warning to quit the land, the Delawares would be their enemies; and a very large string of black and white wampum was sent to the Six Nations as a prayer for aid.

After these preparations, the party of Washington, at-

tended by the half-king and envoys of the Delawares, moved onwards to the French at Venango. The officers there avowed the purpose of taking possession of the Ohio; and they mingled the praises of La Salle with boasts of their forts at Le Bœuf and Erie, at Niagara, Toronto, and Frontenac. "The English," said they, "can raise two men to our one; but they are too dilatory to prevent any enterprise of ours." The Delawares were intimidated or debauched; but the half-king clung to Washington like a brother, and delivered up his belt as he had promised.

The rains of December had swollen the creeks. The messengers could pass them only by felling trees for bridges. Thus they proceeded, now killing a buck and now a bear, delayed by excessive rains and snows, by mire and swamps, while Washington's quick eye discerned all the richness of the meadows.

At Waterford, the limit of his journey, he found Fort Le Bœuf defended by cannon. Around it stood the barracks of the soldiers, rude log cabins, roofed with bark. Fifty birch-bark canoes, and one hundred and seventy boats of pine, were already prepared for the descent of the river, and materials were collected for building more. The commander, Gardeur de Saint-Pierre, an officer of integrity and experience, and for his dauntless courage both feared and beloved by the red men, refused to discuss questions of right. "I am here," said he, "by the orders of my general, to which I shall conform with exactness and resolution." And he avowed his purpose of seizing every Englishman within the Ohio valley. France was resolved on possessing the great territory which her missionaries and travellers had revealed to the world.

Breaking away from courtesies, Washington hastened homewards. The rapid current of French Creek dashed his party against rocks; in shallow places they waded, the water congealing on their clothes; where the ice had lodged on the bend of the rivers, they carried their canoe across the neck. At Venango, they found their horses, but so weak that they went still on foot, heedless of the storm. The cold increased very fast; the paths grew "worse by a deep

snow continually freezing." Impatient to get back with his despatches, the young envoy, wrapping himself in an Indian dress, with gun in hand and pack on his back, the day after Christmas quitted the usual path, and, with Gist for his sole companion, steered by the compass for the fork. An Indian, who had lain in wait for him, fired at him from not fifteen steps' distance, but, missing him, became his prisoner. "I would have killed him," wrote Gist, "but Washington forbade." Dismissing their captive at night, they walked about half a mile, then kindled a fire, fixed their course by the compass, and continued travelling all night, and all the next day, till quite dark. Not till then did the weary wanderers "think themselves safe enough to sleep;" and they encamped, with no shelter but the leafless forest tree.

On reaching the Alleghany, with one poor hatchet and a whole day's work, a raft was constructed and launched. But, before they were half over the river, they were caught in the running ice. Putting out the setting-pole to stop the raft, Washington was jerked into the deep water, and saved himself only by grasping at the raft-logs. They were obliged to make for an island. There lay Washington, imprisoned by the elements; but the late December night was intensely cold, and in the morning he found the river frozen.
1754. Not till he reached Gist's settlement, in January, 1754, were his toils lightened.

Washington's report was followed by immediate activity. An officer appointed by Dinwiddie, having enlisted about seventy men west of the mountains, to the great joy of the Indians, began building a fort at the mouth of the Monongahela, on ground which had already been occupied by the Ohio company. A French officer, appearing at Logstown, threatened death to the subordinates of the Six Nations, and to their English allies; and the speaker of the Indians, who were all in high spirits, retorted with words of defiance. The Virginia house of burgesses, relying on the king to protect the boundary of his dominions, applied to that purpose a loan of ten thousand pounds, taking care to place the disbursement of the money under the superintendence of their own committee. Washington, who for a time had been

stationed at Alexandria to enlist recruits, received from Dinwiddie a commission as lieutenant-colonel and orders, with one hundred and fifty men, to take command at the fork of the Ohio; "to finish the fort already 1754. begun there by the Ohio company;" and "to make prisoners, kill, or destroy all who interrupted the English settlements." Officers and men were encouraged by the promise of a royal grant of two hundred thousand acres on the Ohio, to be divided amongst them.

North Carolina voted for the service twelve thousand pounds of its paper money, most of which was expended uselessly. Maryland accomplished nothing, for a diminution of the privileges of its proprietary was the condition on which alone it was willing to give aid. Massachusetts, with the French on its eastern frontier and at Crown Point, voted neither money nor troops. Pennsylvania, like Maryland, fell into a strife with its proprietaries, and, incensed at their parsimony, at that time perfected no grant, although the French were within its borders. In April, the assembly of New York voted a thousand pounds to Virginia, but declined assisting to repel the French from a post which lay within the proprietary domain of Pennsylvania. The assembly of New Jersey would not even send commissioners to a congress at Albany.

In England it was the "opinion of the greatest men" that the colonies should do something for themselves, and contribute jointly towards their defence. How to unite them occupied many minds on each side of the water. To this end Glen, the governor of South Carolina, proposed a meeting, in Virginia, of all the continental governors, to adjust a quota from each colony, to be employed on the Ohio. "The assembly of this Dominion," observed Dinwiddie, "will not be directed what supplies to grant, and will always be guided by their own free determinations; they would think any restraint or direction an insult on their privileges, that they are so very fond of." "The house of burgesses," he complained, "were in a republican way of thinking;" no power within the colony could "bring them to order."

The province of Massachusetts had never intrusted its affairs to a set of men of so little wariness and fore-
1754. sight as the council and assembly of that year. In a message to Shirley, their governor, they adopted the recommendations of Hutchinson and Oliver. Soliciting the interposition of the king, that the French forts within his territories might be removed, they said: "The French have but one interest; the English governments are disunited; some of them have their frontiers covered by their neighboring governments, and, not being immediately affected, seem unconcerned." "We are very sensible of the necessity of the colonies affording each other mutual assistance; and we make no doubt but this province will, at all times, with great cheerfulness, furnish their just and reasonable quota towards it." Shirley made use of this message to renew the advice which he had urged six years before, but his influence was become greater. He had conducted the commission for adjusting the line of boundary with France, had propitiated the favor of Halifax and Cumberland by flattery, and had been made acquainted with the designs of the board of trade. His counsels, which were now, in some sense, the echo of the thoughts of his superiors, were received with deference, and cited as conclusive; and he repeatedly assured the ministry that, unless the king should himself determine for each colony its quota of men or money, and unless the colonies should be obliged, in some effectual manner, to conform to that determination, there could be no general plan for the defence of America. Without such settlement, and a method to enforce it, there could be no union.

"A gentle land-tax," said Kennedy, through the press of New York and of London, "a gentle land-tax, being the most equitable, must be our last resort." He looked forward with hope to the congress at Albany, but his dependence was on the parliament; for "with parliament there would be no contending. And when their hands are in," he added, "who knows but that they may lay the foundation of a regular government amongst us, by fixing a support for the officers of the crown, independent of an assembly?"

James Alexander, of New York, the same who, with the

elder William Smith, had limited the prerogative by introducing the custom of granting but an annual support, thought that the British parliament should establish the duties for a colonial revenue, which the future American grand council, to be composed of deputies from all the provinces, should have no power to diminish. The members of the grand council may themselves become dangerous, reasoned the royalist Colden, who saw no mode of obtaining the necessary funds but by parliamentary taxation. But Franklin, watchful of the British parliament, and yet having for his motto, "Join or die," sketched to his friends the outline of a confederacy which should truly represent the whole American people.

The British ministry as yet did nothing but order the independent companies, stationed at New York and at Charleston, to take part in defence of Western Virginia. But as soon as spring opened the western rivers, and before Washington could reach Will's Creek, the French, led by Contrecœur, came down from Venango, and summoned the English at the fork to surrender. Only thirty-three in number, they, on the seventeenth of April, capitulated and withdrew. Contrecœur occupied the post, which he fortified, and, from the governor of New France, named Duquesne. The near forest trees were felled and burnt; cabins of bark, for barracks, were built round the fort; and among the charred stumps wheat and maize sprung up on the fields where now is Pittsburg.

"Come to our assistance as soon as you can," was the message sent by the half-king's wampum to Washington; "come soon, or we are lost, and shall never meet again. I speak it in the grief of my heart." And a belt in reply announced the approach of the half-king's "brother and friend." The raw recruits could advance but slowly, fording deep streams, and dragging their few cannon. In the cold and wet season, they were without tents, without a supply of clothes, often in want of provisions. On the twenty-fifth of May, the wary half-king sent word: "Be on your guard; the French army intend to strike the first English whom they shall see."

The same day, another report came, that the French were but eighteen miles distant, at the crossing of the
1754. Youghiogeny. Washington hurried to the Great Meadows, where, "with nature's assistance, he made a good intrenchment, and, by clearing the bushes out of the meadows, prepared" what he called "a charming field for an encounter." A small, light detachment, sent out on wagon-horses to reconnoitre, returned without being able to find any one. By the rules of wilderness warfare, a party that skulks and hides is an enemy. At night the little army was alarmed, and remained under arms from two o'clock till near sunrise. On the morning of the twenty-seventh, Gist arrived. He had seen the trail of the French within five miles of the American camp.

In the evening of that day, about nine o'clock, an express came from the half-king, that the armed body of the French was not far off. Through a heavy rain, in a night as dark as can be conceived, with but forty men, marching in single file along a most narrow trace, Washington groped his way to the camp of the half-king. After council, it was agreed to go hand in hand, and strike the invaders. Two Indians, following the trail of the French, discovered their lodgement, away from the path, concealed among rocks. With the Mingo chiefs Washington made arrangements to come upon them by surprise. Perceiving the English approach, they ran to seize their arms. "Fire!" said Washington; and that word of command kindled the first great war of revolution.

An action of about a quarter of an hour ensued. The right wing, where Washington stood, received all the enemy's fire. One man was killed near him, and three others wounded. "I fortunately escaped without any wound," wrote Washington to his brother; and in a postscript these words escaped him: "I heard the bullets whistle, and, believe me, there is something charming in the sound." Ten of the French were killed, among them Jumonville, the commander of the party; and twenty-one were made prisoners.

When the tidings of this affray crossed the Atlantic, the

name of Washington was, for the first time, heard in the saloons of Paris. The partisans of absolute monarchy pronounced it with execration, foreboding the loss of the western world. What academician or palace menial would have exchanged his hope of fame with that of the calumniated American? The martyrdom of Jumonville was celebrated in heroic verse, and continents were invoked to weep for his fall. And at that very time the child was just born who was one day to stretch out his hand for the relief of Washington, and the triumph of popular power and freedom in America. How many defeated interests bent over the grave of Jumonville! How many hopes clustered round the cradle of the infant Louis!

The dead were scalped by the Indians; and the chieftain, Monacawache, bore a scalp and a hatchet to each of the tribes of the Miamis, inviting them to go hand in hand with the Six Nations and the English.

While Washington was looking wistfully for aid from the banks of the Muskingum, the Miami, and the Wabash, from Maryland and Pennsylvania, from all the six provinces to which appeals had been made, no relief arrived. An independent company came, indeed, from South Carolina; but its captain, proud of his commission from the king, weakened the little army by wrangling for precedence over the provincial commander of the Virginia regiment; and it is the sober judgment of the well-informed, that, if Washington had remained undisputed chief, the defeat that followed would have been avoided. While he, with his Virginians, constructed a road for about thirteen miles through the gorge in the mountains to Gist's settlement, and a party was clearing a path as far as the mouth of the Redstone, the half-king saw with anger that the independent company remained in idleness at Great Meadows "from one full moon to the other;" and he removed his wife and children to a place of safety.

The numbers of the French were constantly increasing. Washington was, on the first day of July, compelled to fall back upon Fort Necessity, the rude stockade at Great Meadows. The royal troops had done nothing to make it

tenable. The little intrenchment was in a glade between two eminences covered with trees, except within
1754. sixty yards of it. On the third of July, about noon, six hundred French, with one hundred Indians, came in sight, and took possession of one of the eminences, where every soldier found a large tree for his shelter, and could fire in security on the troops beneath. For nine hours, in a heavy rain, the fire was returned. The tranquil courage of Washington spread its influence through the raw provincial levies, so inferior to the French in numbers and in position. At last, after thirty of the English and but three of the French had been killed, De Villiers himself, fearing his ammunition would give out, proposed a parley. The terms of capitulation which were offered were interpreted to Washington, who did not understand French; and, as interpreted, were accepted. On the fourth, the English garrison, retaining all its effects, but leaving hostages, withdrew from the basin of the Ohio. In the valley of the Mississippi, no standard floated but that of France.

Hope might dawn from Albany. There, on the nineteenth day of June, 1754, assembled the memorable congress of commissioners from every colony north of the Potomac. The Virginia government, too, was represented by the presiding officer, Delancey, the lieutenant-governor of New York. They met to concert measures of defence, and to treat with the Six Nations and the tribes in their alliance. America had never seen an assembly so venerable for the states that were represented, or for the great and able men who composed it. Every voice declared a union of all the colonies to be absolutely necessary. And, as a province might recede at will from an unratified covenant, the experienced Hutchinson, of Massachusetts, proud of having rescued that colony from thraldom to paper money; Hopkins, a patriot of Rhode Island; the wise and faithful Pitkin, of Connecticut; Tasker, of Maryland; the liberal Smith, of New York; and Franklin, the most benignant of statesmen, — were deputed to prepare a constitution for a perpetual confederacy of the continent; but Franklin had already "projected" a plan, and had brought the heads of it with him.

The representatives of the Six Nations assembled tardily, but urged union and action. They accepted the tokens of peace; they agreed to look upon "Virginia and Carolina" as also present. "We thank you," said Hendrick, the great Mohawk chief, "for renewing and brightening the covenant chain. We will take this belt to Onondaga, where our council-fire always burns, and keep it so securely that neither the thunderbolt nor the lightning shall break it. Strengthen yourselves, and bring as many as you can into this covenant chain." "You desired us to open our minds and hearts to you," added the indignant brave. "Look at the French; they are men; they are fortifying everywhere. But, we are ashamed to say it, you are like women, without any fortifications. It is but one step from Canada hither; and the French may easily come and turn you out of doors."

The distrust of the Six Nations was still stronger than was expressed. Though presents in unusual abundance had been provided, and a general invitation had been given, but one hundred and fifty warriors appeared. Half of the Onondagas had withdrawn, and joined the settlement formed at Oswegatchie under French auspices. Even Mohawks went to the delegates from Massachusetts to complain that the ground on which they slept, and where burned the fires by which they sat, had never been sold, but had yet been surveyed and stolen from them in the night. The lands on the Ohio they called their own; and, as Connecticut was claiming a part of Pennsylvania, because by its charter its jurisdiction extended west to the Pacific, they advised the respective claimants to remain at peace.

The red men having held their last council, and the congress, by its president, having spoken to them farewell, the discussion of the federative compact was renewed; and, the project of Franklin being accepted, he was deputed alone to make a draught of it. On the tenth day of July, he produced the finished plan of perpetual union, which was read paragraph by paragraph, and debated all day long. 1754.

The seat of the proposed federal government was to be Philadelphia, a central city, which it was thought could be

reached even from New Hampshire or South Carolina in fifteen or twenty days. The constitution was a compromise between the prerogative and popular power. The king was to name and to support a governor-general, who should have a negative on all laws; the people of the colonies, through their legislatures, were to elect triennially a grand council, which alone could originate bills. Each colony was to send a number of members in proportion to its contributions, yet not less than two, nor more than seven. The governor-general was to nominate military officers, subject to the advice of the council, which, in turn, was to nominate all civil officers. No money was to be issued but by their joint order. Each colony was to retain its domestic constitution; the federal government was to regulate all relations of peace or war with the Indians, affairs of trade, and purchases of lands not within the bounds of particular colonies; to establish, organize, and temporarily to govern new settlements; to raise soldiers, and equip vessels of force on the seas, rivers, or lakes; to make laws, and levy just and equal taxes. The grand council were to meet once a year; to choose their own speaker; and neither to be dissolved nor prorogued, nor continue sitting longer than six weeks at any one time, but by their own consent.

The most sedulous friend of union, and "the principal hand in forming the plan," was Benjamin Franklin. Almost every article was contested by one or another. His warmest supporters were the delegates from New England; yet Connecticut feared the negative power of the governor-general. On the royalist side, none opposed but Delancey. He would have reserved to the colonial governors a negative on all elections to the grand council; but it was answered that the colonies would then be virtually taxed by a congress of governors. The sources of revenue suggested in debate were a duty on spirits and a general stamp-tax. At length, after much debate, in which Franklin manifested consummate address, the commissioners agreed on the proposed confederacy "pretty unanimously." "It is not altogether to my mind," said Franklin, giving an account of the result, "but it is as I could get it;" and

copies were ordered, that every member might "lay the plan of union before his constituents for consideration;" a copy was also to be transmitted to the governor of each colony not represented in the congress.

New England colonies in their infancy had given birth to a confederacy. William Penn, in 1697, had proposed an annual congress of all the provinces on the continent of America, with power to regulate commerce. Franklin revived the great idea, and breathed into it enduring life. As he descended the Hudson, the people of New York thronged about him to welcome him; and he, who had first entered their city as a runaway apprentice, was revered as the mover of American union. 1754.

Yet the system was not altogether acceptable either to Great Britain or to America. The fervid attachment of each colony to its own individual liberties repelled the overruling influence of a central power. Connecticut rejected it; even New York showed it little favor; the representatives of Pennsylvania took it up when Franklin happened to be absent, and reprobated it without showing any attention to it at all; Massachusetts charged her agent to oppose it. The board of trade, on receiving the minutes of the congress, were astonished at a plan of general government "complete in itself." Reflecting men in England dreaded American union as the key-stone of independence.

But, in the mind of Franklin, the love for union assumed still more majestic proportions, and comprehended "the great country back of the Appalachian mountains." He directed attention to the extreme richness of its land; the healthy temperature of its air; the mildness of the climate; and the vast convenience of inland navigation by the lakes and rivers. "In less than a century," said he, "it must undoubtedly become a populous and powerful dominion." And through Thomas Pownall, who had been present at Albany during the deliberations of the congress, he advised the immediate organization of two new colonies in the west, with powers of self-direction and government like those of Connecticut and Rhode Island: the one on Lake Erie; the



other in the valley of the Ohio, with its capital on the banks of the Scioto.

The freedom of the American colonies, their union, and their extension through the west, became the three objects of the remaining years of Franklin. Heaven, in its mercy, gave the illustrious statesman length of days, so that he witnessed the fulfilment of his great designs.

CHAPTER VI.

THE OLD THIRTEEN COLONIES. NEWCASTLE'S ADMINISTRATION.

1754.

In 1754, David Hume, who had discovered the hollowness of the prevailing systems of thought in Europe, yet without offering any better substitute in philosophy than a selfish ideal skepticism, or hoping for any other euthanasia to the British constitution than its absorption in monarchy, said of America, in words which he never need have erased, and in a spirit which he never disavowed: "The seeds of many a noble state have been sown in climates kept desolate by the wild manners of the ancient inhabitants, and an asylum is secured in that solitary world for liberty and science." The thirteen American colonies, of which the union was projected, contained, at that day, about one million one hundred and sixty-five thousand white inhabitants, and two hundred sixty-three thousand negroes: in all, one million four hundred and twenty-eight thousand souls. The board of trade reckoned a few thousands more; and some, on revising their judgment, stated the amount at less. 1754.

Of persons of European ancestry, perhaps fifty thousand dwelt in New Hampshire, two hundred and seven thousand in Massachusetts, thirty-five thousand in Rhode Island, and one hundred and thirty-three thousand in Connecticut; in New England, therefore, four hundred and twenty-five thousand souls.

Of the middle colonies, New York may have had eighty-five thousand; New Jersey, seventy-three thousand; Pennsylvania, with Delaware, one hundred and ninety-five thousand; Maryland, one hundred and four thousand: in all, not far from four hundred and fifty-seven thousand.

For the southern provinces, where the mild climate invited emigrants into the interior, — where the crown lands were often occupied on mere warrants of surveys or even without warrants, — there was room for glaring mistakes in the enumerations. To Virginia may be assigned one hundred and sixty-eight thousand white inhabitants; to North Carolina, scarcely less than seventy thousand; to South Carolina, forty thousand; to Georgia, not more than five thousand; to the whole country south of the Potomac, two hundred and eighty-three thousand.

The white population of any one of five, or perhaps even of six, of the American provinces, was greater, singly, than that of all Canada; and the aggregate in America exceeded that in Canada fourteen-fold.

Of persons of African lineage the home was chiefly determined by climate. New Hampshire, Massachusetts, and Maine may have had six thousand negroes; Rhode Island, four thousand five hundred; Connecticut, three thousand five hundred: all New England, therefore, about fourteen thousand.

New York alone had not far from eleven thousand; New Jersey, about half that number; Pennsylvania, with Delaware, eleven thousand; Maryland, forty-four thousand: the central colonies, collectively, seventy-one thousand.

In Virginia, there were not less than one hundred and sixteen thousand; in North Carolina, perhaps more than twenty thousand; in South Carolina, full forty thousand; in Georgia, about two thousand: so that the country south of the Potomac may have had one hundred and seventy-eight thousand.

Of the southern group, Georgia, the asylum of misfortune, had been languishing under a corporation whose benefits had not equalled the benevolence of its designs. The council of its trustees had granted no legislative rights to those whom they assumed to protect, but, meeting at a London tavern, by their own power imposed taxes on its Indian trade. Industry was disheartened by the entail of freeholds; summer, extending through months not its own, engendered pestilent vapors from the lowlands, as they were

opened to the sun; American silk, it is true, was admitted into London duty free, but the wants of the wilderness left no leisure to feed the silk-worm and reel its thread; nor had the cultivator learned to gather the down of the cotton plant; the indigent, for whom charity had proposed a refuge, murmured at an exile that had sorrows of its own; the few men of substance withdrew to Carolina. In December, 1751, the trustees unanimously desired to surrender their charter; and, with the approbation of Murray, all authority for two years emanated from the king alone. In 1754, when the first royal governor with a royal council entered upon office, a legislative assembly convened under the sanction of his commission. The crown instituted the courts, and appointed executive officers and judges, with fixed salaries paid by England; but the people, through its representative body, and the precedence of older colonies, gained vigor in its infancy to restrain every form of delegated authority.

The fiery people of South Carolina had increased their power by every method of encroachment on the executive; but they did not excite English jealousy by competing with English industry, or engaging largely in illicit trade; and British legislation was ever lenient to their interests. In favor of rice, the laws of navigation were mitigated; the planting of indigo, like the production of naval stores, was cherished by a bounty from the British exchequer; and they thought it in return no hardship to receive through England even foreign manufactures, which, by the system of partial drawbacks, came to them burdened with a tax, yet at a less cost than to the consumer in the metropolis. They had desired, and had obtained, the presence of troops to intimidate the wild tribes on their frontiers and to overawe their slaves. The people were yeomen, owing the king small quit-rents, which could never be rigorously exacted; a title to portions of the royal domain was granted on easy terms; and who would disturb the adventurer that, at his own will, built his cabin and pastured his herds in savannas and forests which had never been owned in severalty? The slave-merchant supplied laborers on credit. Free from excessive taxation, protected by soldiers in Brit-

ish pay, the frugal planter enjoyed the undivided returns of his enterprise, and might double his capital in three or four years. The love for rural life prevailed universally; the thrifty mechanic abandoned his workshop, the merchant the risks of the sea, to plant estates of their own.

North Carolina, with nearly twice as many white inhabitants as its southern neighbor, had not one considerable village. Its swamps near the sea produced rice; its alluvial lands teemed with maize; free labor, little aided by negroes, busily drew turpentine and tar from the pines of its white, sandy plains; a hardy and rapidly increasing people lay scattered among its fertile uplands. There, through the boundless wilderness, hardy emigrants, careless of the strifes of Europe, ignorant of deceit, free from tithes, answerable to no master, fearlessly occupied lands that seemed without an owner. Their swine had the range of the forest; the greenwood was the pasture of their untold herds. Their young men trolled along the brooks that abounded in fish, and took their sleep under the forest tree; or trapped the beaver; or, with gun and pouch, lay in wait for the deer, as it slaked its thirst at the running stream; or, in small parties, roved the spurs of the Alleghanies, in quest of marketable skins. When Arthur Dobbs, the royal governor, an author of some repute, insisted on introducing the king's prerogative, the legislature did not scruple to leave the government unprovided for. When he attempted to establish the Anglican church, they were ready to welcome the institution of public worship, if their own vestries might choose their ministers. When he sought to collect quit-rents from a people who were nearly all tenants of the king, they deferred indefinitely the adjustment of the rent-roll.

For the Carolinas and for Virginia, as well as other royal governments, the king, under his sign manual, appointed the governor and the council; these constituted a court of chancery; the provincial judges, selected by the king or the royal governor, held office at the royal pleasure; for the courts of vice-admiralty, the lords of the admiralty named a judge, register, and marshal; the commissioners of the customs appointed the comptrollers and the collectors, of whom

one was stationed at each considerable harbor; the justices and the militia officers were named by the governor in council. The freeholders elected but one branch of the legislature; and here, as in every royal government, the council formed another. In Virginia, there was less strife than elsewhere between the executive and the assembly: partly because the king had a permanent revenue from quit-rents and perpetual grants; partly because the governor resided in England, and was careful that his deputy should not hazard his sinecure by controversy. In consequence, the council, by its weight of personal character, gained unusual influence. The church of England was supported by legislative authority, and the plebeian sects were as yet proscribed; but the great extent of the parishes prevented unity of public worship. Bedford, when in office, had favored the appointment of an Anglican bishop in America; but, as his decisive opinion and the importunities of Sherlock and Secker had not prevailed, the benefices were filled by priests ordained in England, and for the most part of English birth, too often ill-educated and licentious men. The province had not one large town; the scattered mode of life made free schools not easily practicable. Sometimes the sons of wealthy planters repaired to Europe; here and there a man of great learning, some Scottish loyalist, some exile around whom misfortune spread a mystery, sought safety and gave instruction in Virginia. The country within tide-water was divided among planters, who, in the culture of tobacco, were favored by British legislation. Insulated on their large estates, they were cordially hospitable. In the quiet of their solitary life, unaided by an active press, they learned from nature what others caught from philosophy, — to reason boldly, to bound their freedom of mind only by self-circumscribed limits. They were philosophers after the pattern of Montaigne, without having heard of him. The horse was their pride; the county courts, their holidays; the race-course, their delight. On permitting the increase of negro slavery, opinions were nearly equally divided; but England kept slave-marts open at every court-house, as far, at least, as the South-west Mountain: partly to enrich her slave-

merchants; partly, by balancing the races, to weaken the power of colonial resistance. The industry of the
1754. Virginians did not compete with that of the mother country; they had few mariners, took no part in the fisheries, and built no ships for sale. British factors purchased their products and furnished their supplies. Their connection with the metropolis was more intimate than with the northern colonies. England was their market and their storehouse, and was still called their "home."

Yet the prerogative had little support in Virginia. Its assembly sent, when it would, its own special agent to England, elected the colonial treasurer, and conducted its deliberations with dignity. Among the inhabitants, the pride of individual freedom paralyzed royal influence. They were the more independent, because they were the oldest colony, the most numerous, the most opulent, and in territory by far the most extensive. The property of the crown in its unascertained domain was admitted, yet they easily framed theories that invested the rightful ownership in the colony itself. Its people spread more and more widely over the mild, productive, and enchanting interior. They ascended rivers to the uplands, and gathered in the valleys of its mountain ranges, where the productive red soil bore wheat luxuriantly, and gave to fruits the most delicate flavor. Among the half-opened forests of Orange county, in a home of plenty, there sported on the lawn the child Madison, round whose gentle nature clustered the hopes of American union. Deeper in the wilderness, on the highlands of Albemarle, Thomas Jefferson, son of a surveyor, of whose ancestral descent memory preserved but one generation, dwelt on the skirt of forest life, with no intercepting ridge between his dwelling-place and the far distant ocean. Beyond the Blue Ridge, men came southward from the glades of Pennsylvania; of most various nations, Irish, Scottish, and German; ever in strife with the royal officers; occupying lands without allotment, or on mere warrants of survey, without patents or payment of quit-rents; baffling to the last the policy of England. Everywhere in Virginia the sentiment of individuality was the parent of its republicanism.

North of the Potomac, at the centre of America, were the proprietary governments of Maryland and of Pennsylvania, with Delaware. There the king had no officers but in the customs and the admiralty courts; his name was hardly known in the acts of government. 1754.

During the last war, Maryland enjoyed unbroken quiet; furnishing no levies of men for the army, and very small contributions of money. Its legislature hardly looked beyond its own internal affairs; and its growth in numbers proved its prosperity. The youthful Frederic, Lord Baltimore, sixth of that title, dissolute and riotous, fond of wine to madness and of women to folly, as a prince zealous for prerogative, though negligent of business, was the sole landlord of the province. To him seemed to belong the right of initiating all laws, though the popular branch of the legislature had assumed that power; yet leaving to the proprietary a triple veto, by his council, by his deputy, and by himself. He established courts and appointed all their officers; punished convicted offenders, or pardoned them; appointed at pleasure councillors, all officers of the colony, and all the considerable county officers; and possessed exclusively the unappropriated domain. Reserving choice lands for his own manors, he had the whole people for his tenants on quit-rents, which, in 1754, exceeded twenty-five thousand dollars a year, and were rapidly increasing. On every new grant from the wild domain he received caution money; his were all escheats, wardships, and fruits of the feudal tenures. Fines of alienation, though abolished in England, were paid for his benefit on every transfer; and fines upon devises were still exacted. He enjoyed a perpetual port duty of fourteen pence a ton, on vessels not owned in the province, yielding not far from five thousand dollars a year; and he exacted a tribute for licenses to hawkers and pedlers, and to ordinaries.

These were the private income of Lord Baltimore. For the public service he needed no annual grants. By an act of 1704, which was held to be permanent, an export tax of a shilling on every hogshead of tobacco gave an annually increasing income of already not much less than seven

thousand dollars, more than enough for the salary of his lieutenant-governor; while other officers were paid by fees and perquisites. Thus the assembly scarcely had occasion to impose taxes, except for the wages of its own members.

Beside the power of appointing colonial officers, independent of the people, Lord Baltimore, as prince palatine, could raise his liege-men to defend his province. His was also the power to pass ordinances for the preservation of order; to erect towns and cities; to grant titles of honor; and his the advowson of every benefice. The colonial act of 1702 had divided Maryland into parishes, and established the Anglican church by an annual tax of forty pounds of tobacco on every poll. The parishes were about forty in number, increasing in value, some of them promising a thousand pounds sterling a year. Thus the lewd Lord Baltimore had more church patronage than any landholder in England; and, as there was no bishop in America, ruffians, fugitives from justice, men stained by intemperance and lust (I write with caution, the distinct allegations being before me), nestled themselves, through his corrupt and easy nature, in the parishes of Maryland.

The king had reserved no right of revising the laws of Maryland; nor could he invalidate them, except as they should be found repugnant to those of England. Though the acts of trade were in force, the royal power was by charter restrained "from imposing, or causing to be imposed, any customs or other taxations, quotas, or contributions whatsoever, within the province, or upon any merchandise, whilst being laden or unladen in its ports." Of its people, about one twelfth were Roman Catholics; and these suffered the burden of double taxation.

In Pennsylvania, with the counties on Delaware, the people, whose numbers appeared to double in sixteen years, were already the masters; and to dispute their authority was but to introduce an apparent anarchy. Of the noble territory, the joint proprietors were Thomas and Richard Penn; the former holding three quarters of the whole. Inheritance might subdivide it indefinitely. The political power that had been bequeathed to them brought little

personal dignity or benefit. The wilderness domain was theirs; though Connecticut, which claimed to extend to the Pacific, was already appropriating to itself a part of their territory, and, like the Penns, sought to confirm its claim by deeds from the Six Nations.

The lieutenant-governor had a negative on legislation; but he depended on the assembly for his annual support, and had often to choose between compliance and poverty. To the council, whom the proprietaries appointed, and to the proprietaries themselves, the right to revise legislative acts was denied; and long usage confirmed the denial. In the land of the Penns, the legislature had but one branch; and of that branch Benjamin Franklin was the soul. It had an existence of its own; could meet on its own adjournments, and no power could prorogue or dissolve it; but a swift responsibility brought its members annually before their constituents. The assembly would not allow the proprietaries in England to name judges; they were to be named by the lieutenant-governor on the spot, and, like him, depended for their salaries on the yearly vote of the assembly. All sheriffs and coroners were chosen by the people. Moneys were raised by an excise, and were kept and were disbursed by provincial commissioners. The land-office was under proprietary control; and, to balance its political influence, the assembly kept the loan-office of paper money under their own supervision.

The laws established for Pennsylvania complete enfranchisement in the domain of thought. Its able press developed the principles of civil rights; its principal city cherished science; and, by private munificence, a ship, at the instance of Franklin, had attempted to discover the north-western passage. A library, too, was endowed, and an academy chartered. No oaths or tests barred the avenue to public posts. The church of England, unaided by law, competed with all forms of dissent. The Presbyterians, who were willing to fight for their liberties, began to balance the enthusiasts, who were ready to suffer for them. Yet the Quakers, humblest amongst plebeian sects, and boldest of them all, — disjoined from the middle

age without even a shred or a mark of its bonds; abolishing not the aristocracy of the sword only, but all war; not prelacy and priestcraft only, but outward symbols and ordinances, external sacraments and forms, — pure spiritualists, and apostles of the power and the freedom of mind, still swayed legislation and public opinion. Ever restless of authority, they were jealous of the new generation of proprietaries who had fallen off from their society, regulated the government with a view to their own personal profit, shunned taxation of their colonial estates, and would not answer as equals to the plain, untitled names which alone the usages of the Society of Friends allowed.

New Jersey, now a royal government, enjoyed, with the aged Belcher, comparative tranquillity. The generality of the people he found to be "very rustical," and deficient in "learning." To the Calvinist governor, the Quakers of this province seemed to want "orthodoxy in the principles of religion;" but he parried for them the oppressive disposition of the board of trade, and the rapacity of the great claimants of lands, who held seats in the council. "I have to steer," he would say, "between Scylla and Charybdis; to please the king's ministers at home, and a touchy people here; to luff for one, and bear away for another." Sheltered by its position, New Jersey refused to share the expense of Indian alliances; often left its own annual expenses unprovided for; and its gentle and most obstinate enthusiasts trusted in the extension of the peaceable kingdom "from sea to sea," and the completion of the prophecies that "nation shall not lift up sword against nation, neither shall they learn war any more."

There, too, on the banks of the Delaware, men that labored for inward stillness, and to live in the spirit of truth, learned to love God in all his manifestations in the visible world; and they testified against cruelty towards the least creature in whom his breath had kindled the flame of life. Conscious of an enlargement of gospel love, John Woolman, a tailor by trade, "stood up like a trumpet, through which the Lord speaks to his people," to make the negro masters sensible of the evil of holding the people of Africa

in slavery; and, by his testimony at the meetings of Friends, recommended that oppressed part of the creation to the notice of each individual and of the society. Having discerned by a bright and radiant light the certain evidence of divine truth, and not fearing to offend man by its simplicity, he travelled much on the continent of America, and would say to the thoughtful, that "a people used to labor moderately for their living, training up their children in frugality and business, have a happier life than those who live on the labor of slaves; that freemen find satisfaction in improving and providing for their families; but negroes, laboring to support others who claim them as their property, and expecting nothing but slavery during life, have not the like inducement to be industrious."

"Men having power," he continued, "too often misapply it; though we make slaves of the negroes, and the Turks make slaves of the Christians, liberty is the natural right of all men equally." "The slaves look to me like a burdensome stone to such who burden themselves with them. The burden will grow heavier and heavier, till times change in a way disagreeable to us." "It may be just," answered one of his hearers, "for the Almighty so to order it." And while he had fresh and heavenly openings in respect to the care and providence of the Almighty over man, as the most noble amongst his creatures which are visible, and was fully persuaded that, as the life of Christ comes to reign in the earth, all abuse and unnecessary oppression will draw towards an end, yet, under the sense of the overflowing stream of unrighteousness, his life was often a life of mourning; and it was a matter fixed in his mind, that this trade of importing slaves, and way of life in keeping them, were dark gloominess hanging over the land. "Though many willingly ran into it, yet the consequences would be grievous to posterity." Therefore he went about, environed with heavenly light and consolation, persuading men that "the practice of continuing slavery was not right;" and in calmest and most guarded words he endeavored, through the press, "to raise an idea of a general brotherhood, and a disposition easy to be touched with a feeling of each other's

afflictions." The men whom he addressed on both banks of the Delaware were not agreed, in all the branches of the question, on the propriety of keeping negroes; yet their masters began the work of setting them free, "because they had no contract for their labor, and liberty was their right." A general epistle from the yearly meeting of Friends, in 1754, declared it to be the "concern" of their body to bear testimony against the iniquitous practice of slave-dealing, and to warn their members against making any purchase of slaves.

But New York was at this time the central point of political interest. Its position invited it to foster American union. Having the most convenient harbor on the Atlantic, with bays expanding on either hand, and a navigable river penetrating the interior, it held the keys of Canada and the lakes. Crown Point and Niagara, monuments of French ambition, were encroachments upon its limits. Its unsurveyed inland frontier, sweeping round on the north, disputed with New Hampshire the land between Lake Champlain and the Connecticut, and extended into unmeasured distances in the west. Within its bosom, at Onondaga, burned the council-fire of the Six Nations, whose irregular bands had seated themselves near Montreal, on the northern shore of Ontario, and on the Ohio; whose hunters roamed over the northwest and the west; whose war-parties had for ages strolled to Carolina. Here were concentrated by far the most important Indian relations, round which the idea of a general union was shaping itself into a reality. It was to still the hereditary warfare of the Six Nations with the southern Indians that South Carolina and Massachusetts first met at Albany; it was to confirm friendship with them and their allies that New England, and all the central states but New Jersey, had assembled in congress. But a higher principle was needed to blend the several colonies under one sovereignty, and that principle existed on the banks of the Hudson.

England never possessed the affection of the country which it had acquired by conquest. British officials sent home complaints of "the Dutch republicans" as disloyal. The descendants of the Huguenot refugees were taunted

with their origin, and invited to accept English liberties gratefully as a boon. Nowhere was the collision between the royal governor and the colonial assembly so violent or so inveterate; nowhere had the legislature, by its method of granting money, so nearly exhausted and appropriated to itself all executive authority; nowhere had the relations of the province to Great Britain been more sharply controverted. The board of trade esteemed the provincial legislature to be subordinate, resting for its existence on acts of the royal prerogative, the king's commissions and the king's instructions, and possessed of none of the attributes of sovereignty; while the people looked upon their representatives as a body participant in sovereignty, existing by an inherent right, and co-ordinate with the British house of commons.

Affairs of religion also involved political strife. In a province chiefly of Calvinists, the English church was favored, though not established by law; but an act of the prerogative, which limited the selection of the president of the provincial college to those in communion with the church of England, agitated the public mind, and united the Presbyterians in distrust of the royal authority.

The laws of trade excited still more resistance. Why should a people, of whom one half were of foreign ancestry, be cut off from all the world but England? Why must the children of Holland be debarred from the ports of the Netherlands? Why must their ships seek the produce of Europe, and, by a later law, the produce of Asia, in English harbors alone? Why were negro slaves the only considerable object of foreign commerce which England did not compel to be first landed on its shores? The British restrictive system was never acknowledged by New York as valid, and was trangressed by all America; but most of all by this province, to an extent that could not easily be imagined. Especially the British ministry had been invited, in 1752, to observe that, while the consumption of tea was annually increasing in America, the export from England was decreasing. During the next twenty years, England sought a remedy; and, meantime, the little island of St.

Eustatius, a heap of rocks, but two leagues in length by one in breadth, without a rivulet or a spring, gathered in its storehouses the products of Holland, of the Orient, of the world; and its harbor was more and more filled with fleets of colonial trading-vessels, which, if need were, completed their cargoes by entering the French islands with Dutch papers. Under the British statutes, which made the commercial relations of America to England not a union, but a bondage, America bought of England hardly more than she would have done on the system of freedom; and this small advantage was dearly purchased by the ever increasing cost of cruisers, custom-house officers, and vice-admiralty courts, and the discontent of the merchants.

The large landholders, whose grants, originally prodigal, irregular, and ill-defined, promised opulence for generations, were equally jealous of British authority, which threatened to bound their pretensions, or question their titles, or, through parliament, to impose a land-tax. The lawyers of the colony, chiefly Presbyterians, and educated in Connecticut, joined heartily with the merchants and the great proprietors to resist every encroachment from England; meeting the political theories of colonial subordination at the threshold; teaching the method of increasing colonial power by the system of annual grants; demanding permanent commissions for their judicial officers; opposing the extension of the admiralty jurisdiction; and resisting the admission of bishops, as involving ecclesiastical courts and new prerogatives. In no province was the near approach of independence discerned so clearly, or so openly predicted.

New York had been settled under large patents of lands to individuals; New England, under grants to towns; and the institution of towns was its glory and its strength. The inhabited part of Massachusetts was recognised as divided into little territories, each of which, for its internal purposes, constituted a separate integral government, free from supervision; having power to choose annually its own officers; to hold meetings of all freemen at its pleasure; to discuss in those meetings any subject of public interest; to see that every able-bodied man within its precincts was enrolled in

the militia and provided with arms, ready for immediate use; to elect and to instruct its representatives; to raise and appropriate money for the support of the ministry, of schools, of highways, of the poor, and for defraying other necessary expenses within the town. It was incessantly deplored, by royalists of later days, that the law which confirmed these liberties had received the unconscious sanction of William III., and the most extensive interpretation in practice. Boston even, on more than one occasion, ventured in town meeting to appoint its own agent to present a remonstrance to the board of trade. New Hampshire, Connecticut, Rhode Island, and Maine, which was a part of Massachusetts, had similar regulations; so that all New England was an aggregate of organized democracies. But the complete development of the institution was to be found in Connecticut and the Massachusetts Bay. There each township was also substantially a territorial parish; the town was the religious congregation; the independent church was established by law; the minister was elected by the people, who annually made grants for his support. There, too, the system of free schools was carried to such perfection that an adult born in New England and unable to write and read could not be found. He that will understand the political character of New England in the eighteenth century must study the constitution of its towns, its congregations, its schools, and its militia.

Yet in these democracies the hope of independence, as a near event, had not dawned. Driven from England by the persecution of the government, its inhabitants still clung with confidence and persevering affection to the land of their ancestry, the people of their kindred, and the nationality of their language. They were of homogeneous origin, nearly all tracing their descent to English emigrants of the reigns of Charles I. and Charles II. They were a frugal and industrious race. Along the seaside, wherever there was a good harbor, fishermen, familiar with the ocean, gathered in hamlets; and each returning season saw them, with an ever increasing number of mariners and vessels, taking the cod and mackerel, and sometimes pursuing the whale

into the icy labyrinths of the northern seas; yet loving home, and dearly attached to their modest freeholds. At Boston a society was formed for promoting domestic manufactures: on one of its anniversaries, three hundred young women appeared on the common, clad in homespun, seated in a triple row, each with a spinning-wheel, and each busily transferring the flax from the distaff to the spool. The town built "a manufacturing house," and there were bounties to encourage the workers in linen. How the board of trade were alarmed at the news! How they censured Shirley for not having frowned on the business! How committees of the house of commons examined witnesses, and made proposals for prohibitory laws, till the Boston manufacturing house, designed to foster home industry, fell into decay!—a commentary on the provident care of England for her colonies. Of slavery there was not enough to affect the character of the people, except in the south-east of Rhode Island, where Newport was conspicuous for engaging in the slave-trade; and where, in two or three towns, negroes composed even a third of the inhabitants.

In the settlements which grew up in the interior, on the margin of the greenwood, the plain meeting-house of the congregation for public worship was everywhere the central point; near it stood the public school, by the side of the very broad road, over which wheels enough did not pass to do more than mark the path by ribbons in the sward. The snug farm-houses, owned as freeholds, without quit-rents, were dotted along the way; and the village pastor among his people, enjoying the calm raptures of devotion, "appeared like such a little white flower as we see in the spring of the year, low and humble on the ground, standing peacefully and lovingly in the midst of the flowers round about; all, in like manner, opening their bosoms to drink in the light of the sun." In every hand was the Bible; every home was a house of prayer; in every village all had been taught, many had comprehended, a methodical theory of the divine purpose in creation, and of the destiny of man.

Child of the Reformation, closely connected with the past centuries and with the greatest intellectual struggles of

mankind, New England had been planted by enthusiasts who feared no sovereign but God. In the universal degeneracy and ruin of the Roman world, when freedom, laws, imperial rule, municipal authority, social institutions, were swept away; when not a province, nor city, nor village, nor family was safe, — Augustine, the African bishop, with a burning heart, confident that, though Rome tottered, the hope of man would endure, rescued from the wreck of the Old World the truths that would renew humanity; and sheltered them in the cloister, among successive generations of men, insulated by their vows from decaying society, and bound to the state neither by ambition, nor by allegiance, nor by the sweet attractions of wife and child.

After the sighs and sorrows of centuries, in the dawn of serener days, an Augustine monk, having also a heart of flame, seized on the same great ideas; and he and his followers, with wives and children, restored them to the world. At his bidding, truth leaped over the cloister walls, and challenged every man to make her his guest; aroused every intelligence to acts of private judgment; changed a dependent, recipient people into a reflecting, inquiring people; lifted each human being out of the castes of the middle age, to endow him with individuality; and summoned man to stand forth as man. The world heaved with the fervent conflict of opinion. The people and their guides recognised the dignity of labor; the oppressed peasantry took up arms for liberty; men reverenced and exercised the freedom of the soul. The breath of the new spirit moved over the earth; it revived Poland, animated Germany, swayed the north; and the inquisition of Spain could not silence its whispers among the mountains of the peninsula. It invaded France; and, though bonfires of heretics, by way of warning, were lighted at the gates of Paris, it infused itself into the French mind, and led to unwonted free discussions. Exile could not quench it. On the banks of the Lake of Geneva, Calvin stood forth the boldest reformer of his day; not personally engaging in political intrigues, yet, by promulgating great ideas, forming the seed-plot of revolution; bowing only to the Invisible; acknowledging no sacrament

of ordination but the choice of the laity, no patent of nobility but that of the elect of God, with its seals of eternity.

Luther's was still a Catholic religion: it sought to instruct all, to confirm all, to sanctify all; and so, under the shelter of princes, it gave established forms to Protestant Germany, and Sweden, and Denmark, and England. But Calvin taught an exclusive doctrine, which, though it addressed itself to all, rested only on the chosen. Lutheranism was, therefore, not a political party; it included prince and noble and peasant. Calvinism was revolutionary; wherever it came, it created division; its symbol, as set up on the "Institutes" of its teacher, was a flaming sword. By the side of the eternal mountains and perennial snows and arrowy rivers of Switzerland, it established a religion without a prelate, a government without a king. Fortified by its faith in fixed decrees, it kept possession of its homes among the Alps. It grew powerful in France, and invigorated, between the feudal nobility and the crown, the long contest, which did not end, till the subjection of the nobility, through the central despotism, prepared the ruin of that despotism, by promoting the equality of the commons. It entered Holland, inspiring an industrious nation with heroic enthusiasm; enfranchising and uniting provinces; and making burghers, and weavers, and artisans, victors over the highest orders of Spanish chivalry, the power of the inquisition, and the pretended majesty of kings. It penetrated Scotland, and, while its whirlwind bore along persuasion among glens and mountains, it shrunk from no danger, and hesitated at no ambition; it nerved its rugged but hearty envoy to resist the flatteries of the beautiful Queen Mary; it assumed the education of her only son; it divided the nobility; it penetrated the masses, overturned the ancient ecclesiastical establishment, planted the free parochial school, and gave a living energy to the principle of liberty in a people. It infused itself into England, and placed its plebeian sympathies in daring resistance to the courtly hierarchy; dissenting from dissent, longing to introduce the reign of righteousness, it invited every man to read the Bible, and made itself dear to the common mind, by teach-

ing, as a divine revelation, the unity of the race and the natural equality of man; it claimed for itself freedom of utterance, and through the pulpit, in eloquence imbued with the authoritative words of prophets and apostles, spoke to the whole congregation; it sought new truth, denying the sanctity of the continuity of tradition; it stood up against the middle age and its forms in church and state, hating them with a fierce and unquenchable hatred.

Imprisoned, maimed, oppressed at home, its independent converts in Great Britain looked beyond the Atlantic for a better world. Their energetic passion was nurtured by trust in the divine protection, their power of will was safely intrenched in their own vigorous creed; and under the banner of the gospel, with the fervid and enduring love of the myriads who in Europe adopted the stern simplicity of the discipline of Calvin, they sailed for the wilderness, far away from "popery and prelacy," from the traditions of the church, from hereditary power, from the sovereignty of an earthly king, — from all dominion but the Bible, and "what arose from natural reason and the principles of equity."

The ideas which had borne the New England emigrants to this transatlantic world were polemic and republican in their origin and their tendency. And how had the centuries matured the contest for mankind! Against the authority of the church of the middle ages, Calvin arrayed the authority of the Bible; the time was come to connect religion and philosophy, and show the harmony between faith and reason. Against the feudal aristocracy, the plebeian reformer summoned the spotless nobility of the elect, foreordained from the beginning of the world; but New England, which had no hereditary caste to beat down, ceased to make predestination its ruling idea, and, maturing a character of its own,

Saw love attractive every system bind.

The transition had taken place from the haughtiness of its self-assertion against the pride of feudalism, to the adoption of love as the benign spirit which was to animate its new teachings in politics and religion.

From God were derived its theories of ontology, of ethics, of science, of happiness, of human perfectibility, and of human liberty.

God himself, wrote Jonathan Edwards, is, "in effect, universal Being." Nature in its amplitude is but "an emanation of his own infinite fulness;" a flowing forth and expression of himself in objects of his benevolence. In every thing there is a calm, sweet cast of divine glory. He comprehends "all entity and all excellence in his own essence." Creation proceeded from a disposition in the fulness of Divinity to flow out and diffuse its existence. The infinite Being is Being in general. His existence, being infinite, comprehends universal existence. There are and there can be no beings distinct and independent. God is "All and alone."

The glory of God is the ultimate end of moral goodness, which in the creature is love to the Creator. Virtue consists in public affection or general benevolence. But as to the New England mind God included universal being, so to love God seemed to include love to all that exists; and was, therefore, in opposition to selfishness, the sum of all morality, the universal benevolence comprehending all righteousness.

God is the fountain of light and knowledge, so that truth in man is but a conformity to God; knowledge in man, but "the image of God's own knowledge of himself." Nor is there a motive to repress speculative inquiry. "There is no need," said Edwards, "that the strict philosophic truth should be at all concealed from men." "The more clearly and fully the true system of the universe is known, the better." Nor can any outward authority rule the mind; the revelations of God, being emanations from the infinite fountain of knowledge, have certainty and reality; they accord with reason and common sense; and give direct, intuitive, and all-conquering evidence of their divinity.

God is the source of happiness. His angels minister to his servants; the vast multitudes of his enemies are as great heaps of light chaff before the whirlwind. Against his enemies the bow of God's wrath is bent, and the arrow made

ready on the string; and justice bends the arrow at their heart, and strains the bow. God includes all being and all holiness. Enmity with him is enmity with all true life and power; an infinite evil, fraught with infinite and endless woe. To exist in union with him is the highest well-being, that shall increase in glory and joy throughout eternity.

God is his own chief end in creation. But, as he includes all being, his glory includes the glory and the perfecting of the universe. The whole human race, throughout its entire career of existence, hath oneness and identity, and "constitutes one complex person," "one moral whole." The glory of God includes the redemption and glory of humanity. From the moment of creation to the final judgment, it is all one work. Every event which has swayed "the state of the world of mankind," "all its revolutions," proceed, as it was determined, towards "the glorious time that shall be in the latter days," when the new shall be more excellent than the old.

God is the absolute sovereign, doing according to his will in the armies of heaven, and among the inhabitants on earth. Scorning the thought of free agency as breaking the universe of action into countless fragments, the greatest number in New England held that every volition, even of the humblest of the people, is obedient to the fixed decrees of Providence, and participates in eternity.

Yet, while the common mind of New England was inspired by the great thought of the sole sovereignty of God, it did not lose personality and human freedom in pantheistic fatalism. Like Augustine, who made war both on Manicheans and Pelagians; like the Stoics, whose morals it most nearly adopted, — it asserted by just dialectics, or, as some would say, by a sublime inconsistency, the power of the individual will. In every action it beheld the union of the motive and volition. The action, it saw, was according to the strongest motive; and it knew that what proves the strongest motive depends on the character of the will. Hence, the education of that faculty was, of all concerns, the most momentous. The Calvinist of New England, who longed to be "morally good and excellent," had no other

object of moral effort than to make "the will truly lovely and right."

Action, therefore, as flowing from an energetic, right, and lovely will, was the ideal of New England. It rejected the asceticism of entire spiritualists, and fostered the whole man, seeking to perfect his intelligence and improve his outward condition. It saw in every one the divine and the human nature. It did not extirpate the inferior principles, but only subjected them. It placed no merit in vows of poverty or celibacy, and spurned the thought of non-resistance. In a good cause its people were ready to take up arms and fight, cheered by the conviction that God was working in them both to will and to do.

CHAPTER VII.

THE MINISTERS ARE ADVISED TO TAX AMERICA BY ACT OF PARLIAMENT. NEWCASTLE'S ADMINISTRATION.

1754–1755.

Such was America, where the people was rapidly becoming sovereign. It was the moment when the aristocracy of England, availing itself of the formulas of the Revolution of 1688, controlled the election of the house of commons, and possessed the government. 1754.

To gain a seat in parliament, the great commoner himself was forced to solicit the nomination and patronage of the Duke of Newcastle. On the death of Henry Pelham, in March, 1754, Newcastle, to the astonishment of all men, declaring he had been second minister long enough, placed himself at the head of the treasury; and desired Henry Fox, then secretary at war, to take the seals and conduct the house of commons. The "political adventurer," who had vigor of mind, and excelled in quick and concise replication, asked to be made acquainted with the disposition of the secret service money. "My brother," said Newcastle, "never disclosed the disposal of that money, neither will I." "Then," rejoined Fox, "I shall not know how to talk to members of parliament, when some may have received gratifications, others not." He further inquired, how the next parliament, of which the election drew near, was to be secured. "My brother," answered Newcastle, "has settled it all."

Fox declining the promotion offered him, the inefficient Holdernesse was transferred to the northern department; and Sir Thomas Robinson, a dull pedant, lately a subordinate at the board of trade, was selected for the southern, with the management of the new house of commons. "The duke," said Pitt, "might as well send his jackboot to lead us." The house abounded in noted men. Besides Pitt and

Fox and Murray, the heroes of a hundred magnificent debates, there was "the universally able" George Gren-
1754. ville; the solemn Sir George Lyttelton, known as a poet, historian, and orator; Hillsborough, industrious, precise, well-meaning, but without sagacity; the arrogant, unstable Sackville, proud of his birth, ambitious of the highest stations; the amiable, candid, irresolute Conway; Charles Townshend, flushed with confidence in his own ability. Then, too, the young Lord North, well educated, abounding in good-humor, made his entrance into public life, with such universal favor that every company resounded with the praises of his parts and merit. But Newcastle had computed what he might dare; at the elections, corruption had returned a majority devoted to the minister who was incapable of settled purposes or consistent conduct. The period when the English aristocracy ruled with the least admixture of royalty or popularity was the period when the British empire was the worst governed.

One day, a member, who owed his seat to bribery, defended himself in a speech full of wit, humor, and buffoonery, which kept the house in a continued roar of laughter. With all the fire of his eloquence, and in the highest tone of grandeur, Pitt, incensed against his patron, gave a rebuke to their mirth. "The dignity of the house of commons," he cried, "has, by gradations, been diminishing for years, till now we are brought to the very brink of the precipice, where, if ever, a stand must be made, unless you will degenerate into a little assembly, serving no other purpose than to register the arbitrary edicts of one too powerful subject." "We are designed to be an appendix to — I know not what; I have no name for it," — meaning the house of lords.

Thus did Pitt oppose to corrupt influence his genius and his gift of speaking well. Sir Thomas Robinson, on the same day, called on his majority to show spirit. "Can gentlemen," he demanded, "can merchants, can the house bear, if eloquence alone is to carry it? I hope words alone will not prevail;" and the majority came to his aid. Even Fox, who "despised care for the constitution as the object

of narrow minds," complained to the heir of the Duke of Devonshire that "taking all share of power from the commons is not the way to preserve whig liberty. The lords stand between the crown and the privilege of both peers and commons;" "after we are nothing," he continued, addressing the great chieftains of the whig clans, "you will not long continue what you wish to be." George II., the aged king, was even more impatient of this thraldom to the aristocracy, which would not leave him a negative, still less an option, in the choice of his servants. "The English notions of liberty," thought he, "must be somewhat singular, when the chief of the nobility choose rather to be the followers of a Duke of Newcastle than the friends and counsellors of their sovereign." The king was too old to resist; but the first political lesson which his grandson, Prince George, received at Leicester house, was such a use of the forms of the British constitution as should emancipate the royal authority from its humiliating dependence on a few great families. In this way Pitt and Prince George became allies, moving from most opposite points against the same influence; Pitt wishing to increase the force of popular representation, and Leicester house to recover independence for the prerogative. 1754.

These tendencies foreshadowed an impending change in the great whig party of England. Its fires had gone out; the ashes on its altars were grown cold. It must be renovated, or given over to dissolution. It had accomplished its original purposes, and was relapsing into a state of chaos. Now that the principle of its former cohesion and activity had exhausted its power, and that it rested only on its traditions, intestine divisions and new combinations would necessarily follow. The whigs had, by the Revolution of 1688, adjusted a compromise between the liberty of the industrial classes and the old feudal aristocracy, giving internal rest after a long conflict. With cold and unimpassioned judgment, they had seated the house of Hanover on the English throne, in the person of a lewd, vulgar, and ill-bred prince, who was neither born nor educated among them, nor spoke their language, nor understood their con-

stitution; "not from a vain preference of one family to another," still less from personal regard, but because
1754. he passively gave the name of his house as a watchword for toleration in the church, freedom of thinking and of speech, the security of property under the sanction of law, the safe enjoyment of English liberty. They had defended this wise and deliberate act against the wounded hereditary affections and the monarchical propensities of the rural districts of the nation; till at last their fundamental measures had ceased to clash with the sentiment of the people, and the whole aristocracy had accepted their doctrines. Murray, afterwards Lord Mansfield, called himself a whig; was one of the brightest ornaments of the party; and, after Hardwicke, their oracle on questions of law. Cumberland, Newcastle, Devonshire, Bedford, Halifax, and the Marquis of Rockingham were all reputed whigs. So were George and Charles Townshend, the young Lord North, Grenville, Conway, and Sackville. On the vital elements of civil liberty, the noble families which led the several factions had no systematic opinions. They knew not that America, which demanded their attention, would amalgamate the cause of royalty and oligarchy, and create parties in England on questions which the Revolution of 1688 had not even considered.

It was because the whig party at this time had proposed to itself nothing great to accomplish, that it was possible for a man like Newcastle to be at its head; with others like Holdernesse, and the dull Sir Thomas Robinson, for the secretaries of state. The province of New York had replied to the condemnation of its policy, contained in Sir Danvers Osborne's instructions, by a well-founded impeachment of Clinton for embezzling public funds and concealing it by false accounts; for gaining undue profits from extravagant grants of lands, and grants to himself under fictitious names; and for selling civil and military offices. These grave accusations were neglected; but the province also complained that its legislature had been directed to obey the king's instructions. They insisted that such instructions, though a rule of conduct to his governor, were

not the measure of obedience to the people; that the rule of obedience was positive law; that a command to grant money was neither constitutional nor legal, being inconsistent with the freedom of debate and the rights of the assembly, whose power to prepare and pass the bills granting money was admitted by the crown. The Newcastle administration did not venture upon effective measures to enforce its orders; while it yet applauded the conduct of the board of trade, and summarily condemned the colony by rejecting its loyal justificatory address to the king. The best English lawyers questioned more and more the legality of a government by royal instructions.

As a measure of security against French encroachments, the king, listening to the house of burgesses of Virginia, instructed the Earl of Albemarle, then governor in chief of that dominion, to grant lands west of the great ridge of mountains which separates the rivers Roanoke, James, and Potomac from the Mississippi, to such persons as should be desirous of settling them, in quantities of not more than a thousand acres for any one person.

As a further measure, Halifax, by the royal command, proposed an American union. "A certain and permanent revenue," with a proper adjustment of quotas, was to be determined by a meeting of one commissioner from each colony. In electing the commissioners, the council, though appointed by the king, was to have a negative on the assembly, and the royal governor to have a negative on both. The colony that failed of being represented was yet to be bound by the result. Seven were to be a quorum; and of these a majority, with the king's approbation, were to bind the continent. The executive department was to be intrusted to one commander in chief, who should, at the same time, be the commissary-general for Indian affairs. To meet his expenses, he was "to be empowered to draw" on the treasuries of the colonies for sums proportionate to their respective quotas. A disobedient or neglectful province was to be reduced by "the authority of parliament;" and the interposition of that authority was equally to be applied for, if the whole plan of union should be defeated. 1754. July, Aug.

Such was the despotic, complicated, and impracticable plan of Halifax, founded so much on prerogative as
1764. to be at war with the principles of the English aristocratic revolution. Nor was any earnest effort ever made to carry it into effect. It does but mark, in the mind of Halifax and his associates, the moment of that pause which preceded the definitive purpose of settling all questions of an American revenue, government, and union by what seemed the effective, simple, and uniform system of a general taxation of America by the British legislature.

"If the several assemblies," wrote Thomas Penn from England, "will not make provision for the general service, an act of parliament may oblige them here." "The assemblies," said Dinwiddie, of Virginia, "are obstinate, self-opinionated, a stubborn generation;" and he advised "a poll-tax on the whole subjects in all the provinces, to bring them to a sense of their duty." Other governors, also, "applied home" for compulsory legislation; and Sharpe, of Maryland, who was temporarily appointed general, held it "possible, if not probable, that parliament, at its very next session, would raise a fund in the several provinces by a poll-tax," or by imposts, "or by a stamp duty," which last method he at that time favored.

Charles Townshend would have sent three thousand regulars, with three hundred thousand pounds, to New England, to train its inhabitants, and, through them, to conquer Canada. But the administration confessed its indecision; and in October, while it sent pacific messages "to the French administration, particularly to Madame de Pompadour and the Duke de Mirepoix," the direction and conduct of American affairs was abandoned to the Duke of Cumberland, then the captain-general of the British army.

The French ministry desired to put trust in the solemn assurances of England. Giving discretionary power in case of a rupture, they instructed Duquesne to act only on the defensive; but "the cruel and sanguinary" Cumberland entered on his American career with eager ostentation. He was heroically brave and covetous of military renown, hiding regrets at failure under the aspect of indifference. Himself

obedient to the king, he never forgave a transgression of "the minutest precept of the military rubric." In Scotland, in 1746, his method against rebellion was "threatening military execution." "Our success," he at that time complained to Bedford, "has been too rapid; it would have been better for the extirpation of this rabble, if they had stood."

For the American major-general and commander in chief, Edward Braddock was selected, a man in fortunes desperate, in manners brutal, in temper despotic; 1754. obstinate and intrepid; expert in the niceties of a review; harsh in discipline. As the duke had confidence only in regular troops, it was ordered that the general and field-officers of the provincial forces should have no rank, when serving with the general and field-officers commissioned by the king. Disgusted at this order, Washington retired from the service, and his regiment was broken up.

The active participation in affairs by Cumberland again connected Henry Fox with their direction. This unscrupulous man, having "privately forsworn all connection with Pitt," entered the cabinet without office, and undertook the conduct of the house of commons. Cumberland had caused the English mutiny bill to be revised, and its rigor doubled. On a sudden, at a most unusual period in the session, Fox showed Lord Egmont a clause for extending the mutiny bill to America, and subjecting the colonial militia, when in actual service, to its terrible severity. Egmont interceded to protect America from this new grievance of military law; but Charles Townshend defended the measure, and, turning to Lord Egmont, exclaimed: "Take the poor American by the hand, and point out his grievances. I defy you, I beseech you, to point out one grievance. I know not of one." He pronounced a panegyric on the board of trade, and defended all their acts, in particular the instructions to Sir Danvers Osborne. The petition of the agent of Massachusetts was not allowed to be brought up; that to the house of lords no one would offer; and the bill, with the clause for America, was hurried through parliament.

It is confidently stated, by the agent of Massachusetts, that a noble lord had then a bill in his pocket, ready to be

brought in, to ascertain and regulate the colonial quotas. All England was persuaded of "the perverseness of the assemblies," and inquiries were instituted relating to the easiest method of taxation by parliament. But, for the moment, the prerogative was employed; Braddock was ordered to exact a common revenue; and all the governors received the king's pleasure "that a fund be established for the benefit of all the colonies collectively in North America."

1754. Men in England expected obedience; but, in December, Delancey referred to "the general opinion of the congress at Albany, that the colonies would differ in their measures and disagree about their quotas; without the interposition of the British parliament to oblige them," nothing would be done.

In the same moment, Shirley, at Boston, was planning how the common fund could be made efficient; and to Franklin, who, in December, 1754, revisited the town in which he drew his first breath, he submitted a new scheme of union. A congress of governors and delegates from the councils was to be invested with power at their meetings to adopt measures of defence, and to draw for all necessary moneys on the treasury of Great Britain, which was to be reimbursed by parliamentary taxes on America.

Dec. 17, 18. "The people in the colonies," replied Franklin, "are better judges of the necessary preparations for defence, and their own abilities to bear them. Governors often come to the colonies merely to make fortunes, with which they intend to return to Britain; are not always men of the best abilities or integrity; have no natural connection with us, that should make them heartily concerned for our welfare." "The councillors in most of the colonies are appointed by the crown, on the recommendation of governors; frequently depend on the governors for office, and are therefore too much under influence. There is reason to be jealous of a power in such governors. They might abuse it merely to create employments, gratify dependants, and divide profits." Besides, the mercantile system of England already extorted a secondary tribute from America. In ad-

dition to the benefit to England from the increasing demand for English manufactures, the whole wealth of the colonies, by the British acts of trade, centred finally among the merchants and inhabitants of the metropolis.

Against taxation of the colonies by parliament, Franklin urged that it would lead to dangerous feuds and inevitable confusion; that parliament, being at a great distance, was subject to be misinformed and misled, and was therefore unsuited to the exercise of this power; that it was the undoubted right of Englishmen not to be taxed but by their own consent, through their representatives; that to propose taxation by parliament, rather than by a colonial representative body, implied a distrust of the loyalty or the patriotism or the understanding of the colonies; that to compel them to pay money without their consent would be rather like raising contributions in an enemy's country than taxing Englishmen for their own benefit; and, finally, that the principle involved in the measure would, if carried out, lead to a tax upon them all by act of parliament for support of government, and to the disuse of colonial assemblies, as a needless part of the constitution.

Shirley next proposed the plan of uniting the colonies more intimately with Great Britain, by allowing them representatives in parliament; and Franklin replied, that unity of government should be followed by a real unity of country; that it would not be acceptable, unless a reasonable number of representatives were allowed, all laws restraining the trade or the manufactures of the colonies were repealed, and England, ceasing to regard the colonies as tributary to its industry, were to foster the merchant, the smith, the hatter in America not less than those on her own soil. 1754. Dec.

Unable to move Franklin from his convictions and the sentiment of his heart, Shirley renewed to the secretary of state his representations of the necessity of a union of the colonies, to be formed in England and enforced by act of parliament. At the same time, he warned against Franklin's Albany plan, which he described as the application of the old republican charter system, such as prevailed in Rhode

Island and Connecticut, to the formation of an American confederacy. The system, said he, is unfit for a particular colony; and much more unfit for a general government over all the united colonies.

1755. Early in 1755, Shirley enforced to the secretary of state "the necessity not only of a parliamentary union, but taxation." During the winter, Sharpe, who had been appointed temporarily to the chief command in America, vainly solicited aid from every province. New Hampshire, although weak and young, "took every opportunity to force acts contrary to the king's instructions and prerogative." The character of the Rhode Island government gave "no great prospect of assistance." New York hesitated in providing quarters for British soldiers, and would contribute to a general fund only when others did. New Jersey showed "the greatest contempt" for the repeated solicitations of its aged governor. In Pennsylvania, in Maryland, in South Carolina, the grants of money by the assemblies were negatived, because they were connected with the encroachments of popular power on the prerogative, "schemes of future independency," "the grasping at the disposition of all public money and filling all offices;" and in each instance the veto excited a great flame. The assembly of Pennsylvania, in March, borrowed money and issued bills of credit by their own resolves, without the assent of the governor. "They are the more dangerous," said Morris, "because a future assembly may use those powers against the government by which they are now protected;" and he openly and incessantly solicited the interference of England. The provincial press engaged in the strife. "Redress," said the Pennsylvania royalists, "if it comes, must come from his majesty and the British parliament." The Quakers also looked to the same authority, not for taxation, but for the abolition of the proprietary rule.

The contest along the American frontier was raging fiercely, when, in January, 1755, France proposed to England to leave the Ohio valley as it was before the last war, and at the same time inquired the motive of the armament which was making in Ireland. Braddock, with two regi-

ments, was already on the way to America, when Newcastle gave assurances that defence only was intended, that the general peace should not be broken; at the same time, England on its side, returning the French proposition with a change of epoch, proposed to leave the Ohio valley as it had been at the treaty of Utrecht. Mirepoix, in reply, was willing that both the French and English should retire from the country between the Ohio and the Alleghanies, and leave that territory neutral, which would have secured to his sovereign all the country north and west of the Ohio. England, on the contrary, demanded that France should destroy all her forts as far as the Wabash, raze Niagara and Crown Point, surrender the peninsula of Nova Scotia, with a strip of land twenty leagues wide along the Bay of Fundy and the Atlantic, and leave the intermediate country to the St. Lawrence a neutral desert. Proposals so unreasonable could meet with no acceptance; yet both parties professed a desire, in which France appears to have been sincere, to investigate and arrange all disputed points; and Louis XV., while he sent three thousand men to America, held himself ready to sacrifice for peace all but honor and the protection due to his subjects; consenting that New England should reach on the east to the Penobscot, and be divided from Canada on the north by the crest of the intervening highlands.

While the negotiations were pending, Braddock arrived in the Chesapeake. In March, he reached Williamsburg, and visited Annapolis; on the fourteenth of April, he, with Commodore Keppel, held a congress at Alexandria. There were present, of the American governors, Shirley, next to Braddock in military rank; Delancey, of New York; Morris, of Pennsylvania; Sharpe, of Maryland; and Dinwiddie, of Virginia. Braddock directed their attention, first of all, to the subject of a colonial revenue, on which his instructions commanded him to insist, and his anger kindled "that no such fund was already established." The governors present, recapitulating their strifes with their assemblies, made answer: "Such a fund can never be established in the colonies without the aid of parliament. 1755.

Having found it impracticable to obtain in their respective governments the proportion expected by his majesty towards defraying the expense of his service in North America, they are unanimously of opinion that it should be proposed to his majesty's ministers to find out some method of compelling them to do it, and of assessing the several governments in proportion to their respective abilities." This imposing document Braddock sent forthwith to the ministry, himself also urging the necessity of some tax being laid throughout his majesty's dominions in North America. Dinwiddie reiterated his old advice. Sharpe recommended that the governor and council, without the assembly, should have power to levy money "after any manner that may be deemed most ready and convenient." "A common fund," so Shirley assured his American colleagues, on the authority of the British secretary of state, "must be either voluntarily raised, or assessed in some other way."

1755.

I have had in my hands vast masses of correspondence, including letters from servants of the crown in every royal colony in America; from civilians, as well as from Braddock and Dunbar and Gage; from the popular Delancey and the moderate Sharpe, as well as from Dinwiddie and Shirley; and all were of the same tenor. The British ministry heard one general clamor from men in office for taxation by act of parliament. Even men of liberal tendencies looked to acts of English authority for aid. "I hope that Lord Halifax's plan may be good and take place," said Alexander, of New York. Hopkins, governor of Rhode Island, elected by the people, complained of the men "who seemed to love and understand liberty better than public good and the affairs of state." "Little dependence," said he, "can be had on voluntary union." "In an act of parliament for a general fund," wrote Shirley, "I have great reason to think the people will readily acquiesce."

In England, the government was more and more inclined to enforce the permanent authority of Great Britain. No assembly had with more energy assumed the management

of the provincial treasury than that of South Carolina; and Richard Lyttelton, brother of Sir George Lyttelton who, in November, 1755, became chancellor of the exchequer, was sent to recover the authority which had been impaired by "the unmanly facilities of former rulers." Pennsylvania had, in January, 1755, professed the loyalty of that province, and explained the danger to their chartered liberties from proprietary instructions; but, after a hearing before the board of trade, the address of the colonial legislature to their sovereign, like that of New York in the former year, was disdainfully rejected. Petitions for reimbursements and aids were received with displeasure; the people of New England were treated as Swiss ready to sell their services, desiring to be paid for protecting themselves. The reimbursement of Massachusetts for taking Louisburg was now condemned, as a subsidy to subjects who had only done their duty. "You must fight for your own altars and firesides," was Sir Thomas Robinson's answer to the American agents, as they were bandied to himself from Newcastle, and from both to Halifax. Halifax alone had decision and a plan. In July, 1755, he insisted with the ministry on a "general system to ease the mother country of the great and heavy expenses with which it of late years was burdened." The administration resolved "to raise funds for American affairs by a stamp duty, and a duty" on products of the foreign West Indies imported into the continental colonies. The English press advocated an impost in the northern colonies on West India products, "and likewise that, by act of parliament, there be a further fund established" from "stamped paper." This tax, it was conceived, would yield "a very large sum." Huske, an American, writing under the patronage of Charles Townshend, urged a reform in the colonial administration, and moderate taxation by parliament, as free from "the risks and disadvantages of the Albany plan of union." Delancey, in August, had hinted to the New York assembly that a "stamp duty would be so diffused as to be in a manner insensible." That province objected to a stamp-tax as oppressive, though not to a moderate impost on West India

1755.

products; and the voice of Massachusetts was un-
1755. heeded, when, in November, it began to be thoroughly alarmed, and instructed its agent "to oppose every thing that should have the remotest tendency to raise a revenue in the plantations." Everybody in parliament seemed in favor of an American revenue that should come under the direction of the government in England. Those who once promised opposition to the measure resolved rather to sustain it, and the next winter was to introduce the new policy.

The civilized world was just beginning to give due attention to the colonies. Hutcheson, the able Irish writer on ethics, — who, without the power of thoroughly reforming the theory of morals, knew that it needed a reform, and was certain that truth and right have a foundation within us, though, swayed by the material philosophy of his times, he sought that foundation not in pure reason, but in a moral sense, — saw no wrong in the coming independence of America. "When," he inquired, "have colonies a right to be released from the dominion of the parent state?" And this year his opinion saw the light: "Whenever they are so increased in numbers and strength as to be sufficient by themselves for all the good ends of a political union."

CHAPTER VIII.

ENGLAND AND FRANCE CONTEND FOR THE OHIO VALLEY AND FOR ACADIA. NEWCASTLE'S ADMINISTRATION CONTINUED.

1755.

ANARCHY lay at the heart of the institutions of Europe; the germ of political life was struggling for its development in the people of America. While doubt was preparing the work of destruction in the Old World, 1755. faith in truth and the formative power of order were organizing the energies of the New. As yet America refused union, not from unwillingness to devote life and fortune for the commonwealth, but from the resolve never to place its concentrated strength under an authority independent of itself.

The events of the summer strengthened the purpose, but delayed the period, of taxation by parliament. Between England and France peace existed under ratified treaties; it was proposed not to invade Canada, but only to repel encroachments on the frontier from the Ohio to the Gulf of St. Lawrence. For this end, four expeditions were concerted by Braddock at Alexandria. Lawrence, the lieutenant-governor of Nova Scotia, was to reduce that province according to the English interpretation of its boundaries; Johnson, from his long acquaintance with the Six Nations, was selected to enroll Mohawk warriors in British pay, and to conduct an army of provincial militia and Indians against Crown Point; Shirley proposed to win laurels by driving the French from Niagara; while the commander in chief himself was to recover the Ohio valley and the north-west.

Soon after Braddock sailed from Europe, the French sent re-enforcements for Canada, under the veteran Dieskau. Boscawen, with English ships, pursued them, though Eng-

land had avowed only the intention to resist encroachments on her territory; and when the French ambassador at London expressed some uneasiness, he was assured that the English would not begin. At six o'clock on the evening
1755. of the seventh of June, the "Alcide," the "Lys," and the "Dauphin," that had for several days been separated from their squadron, fell in with the British fleet off Cape Race. Between ten and eleven in the morning of the eighth, the "Alcide," under Hocquart, was within hearing of the "Dunkirk," a vessel of sixty guns, commanded by Howe. "Are we at peace or war?" asked Hocquart. The French affirm that the answer to them was, "Peace! Peace!" till Boscawen gave the signal to engage. Howe, who was as brave as he was taciturn, obeyed the order promptly; and the "Alcide" and "Lys" yielded to superior force. The "Dauphin," being a good sailer, scud safely for Louisburg. Nine more of the French squadron came in sight of the British, but were not intercepted; and, before June was gone, Dieskau and his troops, with De Vaudreuil, who superseded Duquesne as governor of Canada, landed at Quebec. Vaudreuil was a Canadian by birth, had served in Canada, and been governor of Louisiana. The Canadians flocked about him to bid him welcome.

From Williamsburg, Braddock had promised Newcastle to be "beyond the mountains of Alleghany by the end of April;" at Alexandria, in April, he promised the ministry tidings of his successes by an express to be sent in June. At Fredericktown, where he halted for carriages, he said to Franklin: "After taking Fort Duquesne, I am to proceed to Niagara, and, having taken that, to Frontenac. Duquesne can hardly detain me above three or four days, and then I nothing that can obstruct my march to Niagara." "The ians are dexterous in laying and executing ambuscades," d Franklin, who called to mind the French invasion of ickasaws, and the death of Artaguette and Vincennes. savages," answered Braddock, "may be formidable ur raw American militia; upon the king's regulars isciplined troops, it is impossible they should make pression." The little army was "unable to move, for

want of horses and carriages;" but Franklin, by his "great influence in Pennsylvania," supplied both, with a "promptitude and probity" which extorted praise from Braddock and unanimous thanks from the assembly of his province. Among the wagoners was Daniel Morgan, famed in village groups as a wrestler; skilful in the use of the musket; who emigrated, as a day-laborer, from New Jersey to Virginia, and husbanded his wages so that he had become the owner of a team; all unconscious of his future greatness. At Will's Creek, which took the name of Cumberland, Washington, in May, joined the expedition as one of the general's aids.

Seven-and-twenty days passed in the march from Alexandria to Cumberland, where two thousand effective men were assembled; among them, two independent companies from New York, under the command of Horatio Gates. "The American troops," wrote Braddock, "have little courage or good-will; I expect from them almost no military service, though I have employed the best officers to drill them;" and, losing all patience, he insulted the country as void of ability, honor, and integrity. "The general is brave," said his secretary, young Shirley, "and in pecuniary matters honest, but disqualified for the service he is employed in;" and Washington found him "incapable of arguing without warmth, or giving up any point he had asserted, be it ever so incompatible with reason or common sense." 1755.

From Cumberland to the fork of the Ohio the distance is less than one hundred and thirty miles. On the last day of May, five hundred men were sent forward to open the roads, and store provisions at Little Meadows. Sir Peter Halket followed with the first brigade, and June was advancing before the general was in motion with the second. "Braddock is not at all impatient to be scalped," thought men in England. Meantime, Fort Duquesne was receiving re-enforcements. "We shall have more to do," said Washington, "than to go up the hills and come down."

The army moved forward, not through the gorge in the mountain, which was then impassable, but over the hills,

in a slender line, nearly four miles long; exposed to be cut by attacks on its flanks; always in fear of Indian ambuscades. The narrow road was carried with infinite toil across mountains and lofty rocks, over ravines and rivers. As the horses, for want of forage, fed on the wild grasses, and the cattle browsed among the shrubs, they grew weak, and began to give out; the wagons broke in pieces on the rough and miry paths; the regular troops pined under the wilderness hardships.

1755. On the nineteenth of June, Braddock, by Washington's advice, leaving Dunbar behind with the residue of the army, resolved to push forward with twelve hundred chosen men. "The prospect," says Washington, "conveyed to my mind infinite delight;" and he would not suffer "excessive" illness to detain him from active service. Yet still they stopped to level every molehill, and erect bridges over every creek. On the eighth of July, they arrived at the fork of the Monongahela and Youghiogeny Rivers. The distance to Fort Duquesne was but twelve miles, and the governor of New France gave it up as lost.

Early in the morning of the ninth of July, Braddock set his troops in motion. A little below the Youghiogeny, they forded the Monongahela just below the mouth of Turtle Creek, and marched on the southern bank of that tranquil stream; in perfect military order; brilliant in their dazzling uniform; with burnished arms, but sick at heart, and enfeebled by unwholesome diet. At noon they forded the Monongahela again; and stood between the rivers that form the Ohio, only ten miles distant from the fork. A detachment of three hundred and fifty men, led by Lieutenant-colonel Thomas Gage, and closely attended by a working party of two hundred and fifty, under Saint-Clair, advanced cautiously, with guides and flanking parties, along a path but twelve feet wide, towards the uneven, woody country that was between them and Fort Duquesne. They ascended the hill, till they gained the point, when they turned the ravine. The ground then on their left sloped downwards towards the meadows on the river bank; on their right, it rose, first gradually, then suddenly, to a high ridge. The

general was following with the columns of artillery, baggage, and the main body of the army, when a very heavy and quick fire was heard in the front. 1755. July 9.

Aware of Braddock's progress by the fidelity of their scouts, the French had resolved on an ambuscade. Twice in council the Indians declined the enterprise. "I shall go," said De Beaujeu, the commandant at Fort Duquesne, "and will you suffer your father to go alone? I am sure we shall conquer;" and, sharing his confidence, they pledged themselves to be his companions. At an early hour, Contrecœur detached De Beaujeu, Dumas, and De Lignery, with less than two hundred and thirty French and Canadians, and six hundred and thirty-seven savages, under orders to repair to a favorable spot selected the preceding evening. Before reaching it, they found themselves in the presence of the English, who were advancing in good order; and De Beaujeu instantly began an attack with the utmost vivacity. Gage should, on the moment, and without waiting for orders, have sent support to his flanking parties. His indecision lost the day. The onset was met courageously; but the flanking guards were driven in, and the advanced party, leaving their two six-pounders in the hands of the enemy, were thrown back upon the vanguard which the general had sent as a re-enforcement, and which was attempting to form in face of the rising ground on the right. Thus the men of both regiments were heaped together in promiscuous confusion among the dense forest trees and thick-set underwood. The general himself hurried forward to share the danger and animate the troops; and his artillery, though it could do little harm, as it played against an enemy whom the forest concealed, yet terrified the savages and made them waver. At this time, De Beaujeu fell; when the brave and humane Dumas, taking the command, gave new life to his party; sending the savages to attack the English in flank, while he, with the French and Canadians, continued the combat in front. Already the British regulars were raising shouts of victory, when the battle was renewed; and the Indians, posting themselves behind large trees "in the front of the troops, and on the hills which overhung the

right flank," invisible, yet making the woods re-echo their war-whoop, fired irregularly, but with deadly aim, at "the fair mark" offered by the "compact body of men beneath them." None of the English that were engaged would say they saw a hundred of the enemy; and "many of the officers, who were in the heat of the action the whole time, would not assert that they saw one."

1755. July 9.

The combat continued for two hours, with scarcely any change in the disposition of either side. Had the regulars shown courage, the issue would not have been doubtful; but, terrified by the yells of the Indians, and dispirited by a manner of fighting such as they had never imagined, they would not long obey the voice of their officers, but gathered themselves into a body, contrary to orders, ten or twelve deep, and would then level, fire, and shoot down the men before them. The officers used the utmost art to encourage them to move upon the enemy; they told them off into small parties, of which they took the lead; they bravely formed the front; they advanced, sometimes at the head of small bodies, sometimes separately, to recover the cannon, or to get possession of the hill; but were sacrificed by the soldiers, who declined to follow them, and even fired upon them from the rear. Of eighty-six officers, twenty-six were killed, among them Sir Peter Halket; and thirty-seven were wounded, including Gage and other field-officers. Of the men, one half were killed or wounded. Braddock braved every danger. His secretary was shot dead; both his English aids were disabled early in the engagement, leaving the American alone to distribute his orders. "I expected every moment," said one whose eye was on Washington, "to see fall." "Nothing but the superintending care of Provi- could have saved him." An Indian chief — I sup- Shawnee — singled him out with the rifle, and bade arriors do the same. He had two horses shot under four bullets through his coat, yet escaped without . "Some potent manitou guards his life," ex- the savage. "Death," wrote Washington, "was my companions on every side of me; but, by the rful dispensations of Providence, I have been pro-

tected." "To the public," said Samuel Davies, a learned New Jersey divine, in the following month, "I point out that heroic youth, Colonel Washington, whom I cannot but hope Providence has preserved in so signal a manner for some important service to his country." "Who is Mr. Washington?" asked Lord Halifax, a few months later. "I know nothing of him," he added, "but that they say he behaved in Braddock's action as bravely as if he really loved the whistling of bullets." The Virginia troops showed great valor; and, of three companies, scarcely thirty men were left alive. Captain Peyronney and all his officers, down to a corporal, were killed; of Polson's, whose courage was honored by the legislature of the Old Dominion, only one officer was left. But "those they call regulars, having wasted their ammunition, broke and ran, as sheep before hounds, leaving the artillery, provisions, baggage, and even the private papers of the general, a prey to the enemy. The attempt to rally them was as vain as to attempt to stop the wild bears of the mountain." "Thus were the English most scandalously beaten." Of privates, seven hundred and fourteen were killed or wounded; while, of the French and Indians, only three officers and thirty men fell, and but as many more were wounded. 1755. July 9.

Braddock had five horses disabled under him; at last a bullet entered his right side, and he fell mortally wounded. He was with difficulty brought off the field, and borne in the train of the fugitives. All the first day he was silent; but at night he roused himself to say: "Who would have thought it?" The meeting at Dunbar's camp made a day of confusion. On the twelfth of July, Dunbar destroyed the remaining artillery, and burned the public stores and the heavy baggage, to the value of a hundred thousand pounds; pleading in excuse that he had the orders of the dying general, and being himself resolved, in midsummer, to evacuate Fort Cumberland, and hurry to Philadelphia for winter-quarters. Accordingly, the next day they all retreated. At night, Braddock roused from his lethargy to say: "We shall better know how to deal with them another time;" and died. His grave may still be seen, near the national road, about a mile west of Fort Necessity.

1755. July. The forest battle-field was left thickly strewn with the wounded and the dead. Never had there been such a harvest of scalps and spoils. As evening approached, the woods round Fort Duquesne rung with the halloos of the red men, the firing of small arms, mingled with a peal from the cannon at the fort. The next day, the British artillery was brought in; and the Indian warriors, painting their skin a shining vermilion, with patches of black and brown and blue, tricked themselves out in the laced hats and bright apparel of the English officers. "This whole transaction," writes Franklin, "gave us Americans the first suspicion that our exalted ideas of the prowess of British regular troops had not been well founded."

The news of Braddock's defeat and the shameful evacuation of Fort Cumberland threw the central provinces into the greatest consternation. The assembly of Pennsylvania resolved to grant fifty thousand pounds to the king's use, in part by a tax on all estates, real and personal, within the province. Morris, obeying his instructions from the proprietaries, claimed exemption for their estates. The assembly rejected the demand with disdain; for the annual income of the proprietaries from quit-rents, ground-rents, rents of manors, and other appropriated and settled lands, was nearly thirty thousand pounds. Sharpe would not convene the assembly of Maryland, because it was "fond of imitating the precedents of Pennsylvania." And the governors, proprietary as well as royal, reciprocally assured each other that nothing could be done in their colonies without an act of parliament.

Happily, the Catawbas at the south remained faithful; and in July, at a council of five hundred Cherokees assem-

· a tree in the highlands of Western Carolina,
ed the covenant of peace, obtained a cession of
as invited to erect Fort Prince George near the
onasatchee and Keowee.

th, New England was extending British domin-
chusetts cheerfully levied about seven thousand
d men, or nearly one fifth of the able-bodied
colony. Of these, a detachment took part in

establishing the sovereignty of England in Acadia. That peninsular region — abounding in harbors and in forests, rich in its ocean fisheries and in the product of its rivers, near to a continent that invited to the chase and the fur-trade, having in its interior large tracts of alluvial soil — had become dear to its inhabitants, who beheld around them the graves of their ancestors for several generations. It was the oldest French colony in North America. There the Bretons had built their dwellings, sixteen years before the pilgrims reached the shores of New England. With the progress of the respective settlements, sectional jealousies and religious bigotry had renewed their warfare; the offspring of the Massachusetts husbandmen were taught to abhor "popish cruelties" and "popish superstitions;" while Roman Catholic missionaries were propagating their faith among the villages of the Abenakis.

After repeated conquest and restorations, the treaty of Utrecht conceded Acadia, or Nova Scotia, to Great Britain. Yet the name of Annapolis, a feeble English garrison, and five or six immigrant families, were nearly all that marked the supremacy of England. The old inhabitants remained on the soil. They still loved the language and the usages of their forefathers, and their religion was graven upon their souls. They promised submission to England; but such was the love with which France had inspired them, they would not fight against its standard or renounce its name. Though conquered, they were French neutrals.

For nearly forty years from the peace of Utrecht they had been forgotten or neglected, and had prospered in their seclusion. No tax-gatherer counted their folds, no magistrate dwelt in their hamlets. The parish priest made their records and regulated their successions. Their little disputes were settled among themselves, with scarcely one appeal to English authority at Annapolis. The pastures were covered with their herds and flocks; and dikes, raised by extraordinary efforts of social industry, shut out the rivers and the tide from alluvial marshes of exuberant fertility. The meadows, thus reclaimed, were covered by richest grasses, or fields of wheat, that yielded thirty and

fifty fold at the harvest. Their houses were built in clusters, neatly constructed and comfortably furnished; and around them all kinds of domestic fowls abounded. With the spinning-wheel and the loom, their women made, of flax from their own fields, of fleeces from their own flocks, coarse but sufficient clothing. The few foreign luxuries that were coveted could be obtained from Annapolis or Louisburg, in return for furs or wheat or cattle.

Happy in their neutrality, the Acadians formed, as it were, one great family. Their morals were of unaffected purity. Love was sanctified and calmed by the universal custom of early marriages. The neighbors of the community would assist the new couple to raise their cottage on fertile land, which the wilderness freely offered. Their numbers increased; and the colony, which had begun as the trading station of a company, with a monopoly of the fur-trade, counted, perhaps, sixteen or seventeen thousand inhabitants.

When England began vigorously to colonize Nova Scotia, the native inhabitants might fear the loss of their independence. The enthusiasm of their priests was kindled at the thought that heretics, of a land which had disfranchised Catholics, were to surround, and perhaps to overwhelm, the ancient Acadians. "Better," said the priests, "surrender your meadows to the sea and your houses to the flames, than, at the peril of your souls, take the oath of allegiance to the British government." And they, from their very simplicity and anxious sincerity, were uncertain in their resolves; now gathering courage to flee beyond the isthmus for other homes in New France, and now yearning for their own houses and fields, their herds and pastures.

"[illegible]e haughtiness of the British officers aided the priests
[illegible]ir attempts to foment disaffection. The English re-
[illegible]olonies, even when settled by men from their own
[illegible]as sources of emolument to the mother country;
[illegible] an inferior caste. The Acadians were despised
[illegible]y were helpless. Ignorant of the laws of their
[illegible], they were not educated to the knowledge, the
[illegible]d the love of English liberties; they knew not
[illegible] the throne, and, given up to military masters,

had no redress in civil tribunals. Their papers and records, the titles to their estates and inheritances, were taken away from them. Was their property demanded for the public service, "they were not to be bargained with for the payment." The order may still be read on the council records at Halifax. They must comply, it was written, without making any terms, "immediately," or "the next courier would bring an order for military execution upon the delinquents;" and, when they delayed in fetching firewood for their oppressors, it was told them from the governor: "If they do not do it in proper time, the soldiers shall absolutely take their houses for fuel." The unoffending sufferers submitted meekly to the tyranny. Under pretence of fearing that they might rise in behalf of France, or seek shelter in Canada, or convey provisions to the French garrisons, they were directed to surrender their boats and their fire-arms; and, conscious of innocence, they gave them up, leaving themselves without the means of flight, and defenceless. Further orders were afterwards given to the English officers, if the Acadians behaved amiss, to punish them at discretion; if the troops were annoyed, to inflict vengeance on the nearest, whether the guilty one or not, "taking an eye for an eye, and a tooth for a tooth."

The French, who had yielded the sovereignty over no more than the peninsula, established themselves on the isthmus, in two forts: one, a stockade at the mouth of the little river Gaspereaux, near Bay Verte; the other, the more considerable fortress of Beau Séjour, built and supplied at great expense, upon an eminence on the north side of the Messagouche, on the Bay of Fundy. The isthmus is here hardly fifteen miles wide, and formed the natural boundary between New France and Acadia.

The French at Beau Séjour had passed the previous winter in unsuspecting tranquillity, ignorant of the preparations of the two crowns for war. As spring approached, suspicions were aroused; but De Vergor, the inefficient commander, took no vigorous measures for strengthening his works; nor was he fully roused to his danger till, from the walls of his fort, he beheld the fleet of the English

1754. June. sailing fearlessly into the bay, and anchoring before his eyes.

The provincial troops, about fifteen hundred in number, strengthened by a detachment of three hundred regulars and a train of artillery, were disembarked without difficulty. A day was given to repose and parade; on the fourth of June, they forced the passage of the Messagouche, the intervening river. No sally was attempted by De Vergor; no earnest defence was undertaken. On the twelfth, the fort at Beau Séjour, weakened by fear, discord, and confusion, was invested; and in four days it surrendered. By the terms of the capitulation, the garrison was to be sent to Louisburg; for the Acadian fugitives, inasmuch as they had been forced into the service, amnesty was stipulated. The place received an English garrison, and, from the brother of the king, then the soul of the regency, was named Cumberland.

The petty fortress near the river Gaspereaux, on Bay Verte, a mere palisade, flanked by four block-houses, without mound or trenches, and tenanted by no more than twenty soldiers, though commanded by the brave De Villerai, could do nothing but capitulate on the same terms. Meantime, Captain Rous sailed, with three frigates and a sloop, to reduce the French fort on the St. John's. But, before he arrived there, the fort and dwellings of the French had been abandoned and burned, and he took possession of a deserted country. Thus was the region east of the St. Croix annexed to England, with a loss of but twenty men killed and as many more wounded.

No further resistance was to be feared. The Acadians cowered before their masters, hoping forbearance; willing to take an oath of fealty to England; in their single-mindedness and sincerity, refusing to pledge themselves to bear arms against France. The English were masters of the sea, were undisputed lords of the country, and could exercise clemency without apprehension. Not a whisper gave a warning of their purpose, till it was ripe for execution.

It had been "determined upon," after the ancient device

of Oriental despotism, that the French inhabitants of Acadia should be carried away into captivity to other parts of the British dominions. "They have laid aside all thought of taking the oaths of allegiance voluntarily:" thus, in August, 1754, Lawrence, the lieutenant-governor of Nova Scotia, had written of them to Lord Halifax. "They possess the best and largest tract of land in this province; if they refuse the oaths, it would be much better that they were away." The lords of trade, in reply, veiled their wishes under the decorous form of suggestions. "By the treaty of Utrecht," said they of the French Acadians, "their becoming subjects of Great Britain is made an express condition of their continuance after the expiration of a year; they cannot become subjects but by taking the oaths required of subjects; and therefore it may be a question, whether their refusal to take such oaths will not operate to invalidate their titles to their lands. Consult the chief justice of Nova Scotia upon that point; his opinion may serve as a foundation for future measures."

1754. Aug. Oct.

France remembered the descendants of her sons in the hour of their affliction, and asked that they might have time to remove from the peninsula with their effects, leaving their lands to the English; but the answer of the British minister claimed them as useful subjects, and refused them the liberty of transmigration.

1755. May.

The inhabitants of Minas and the adjacent country pleaded with the British officers for the restitution of their boats and their guns, promising fidelity, if they could but retain their liberties; and declaring that not the want of arms, but their conscience, should engage them not to revolt. "The memorial," said Lawrence in council, "is highly arrogant, insidious, and insulting." The memorialists, at his summons, came submissively to Halifax. "You want your canoes for carrying provisions to the enemy," said he to them, though he knew no enemy was left in their vicinity. "Guns are no part of your goods," he continued, "as by the laws of England all Roman Catholics are restrained from having arms, and are subject to penalties if arms are found in their houses. It is not the language of

July 3.

British subjects to talk of terms with the crown, or capitulate about their fidelity and allegiance. What excuse can you make for your presumption in treating this government with such indignity as to expound to them the nature of fidelity? Manifest your obedience by immediately taking the oaths of allegiance in the common form before the council."

1755. July.

The deputies replied that they would do as the generality of the inhabitants should determine; and they merely entreated leave to return home and consult the body of their people.

The next day, the unhappy men, foreseeing the sorrows that menaced them, offered to swear allegiance unconditionally; but they were told that, by a clause in a British statute, persons who have once refused the oaths cannot be afterwards permitted to take them, but are to be considered as popish recusants; and as such they were imprisoned.

The chief justice, Belcher, on whose opinion hung the fate of so many hundreds of innocent families, insisted that the French inhabitants were to be looked upon as confirmed "rebels," who had now collectively and without exception become "recusants." Besides, they still counted in their villages "eight thousand" souls, and the English not more than "three thousand;" they stood in the way of "the progress of the settlement;" "by their non-compliance with the conditions of the treaty of Utrecht, they had forfeited their possessions to the crown;" after the departure "of the fleet and troops, the province would not be in a condition to drive them out." "Such a juncture as the present might never occur;" so he advised "against receiving any of the French inhabitants to take the oath," and for the removal of "all" of them from the province.

That the cruelty might have no palliation, letters arrived, leaving no doubt that the shores of the Bay of Fundy were entirely in the possession of the British; and yet at a council, at which Vice-admiral Boscawen and Rear-admiral Mostyn were present by invitation, it was unanimously determined to send the French inhabitants out of the province; and, after mature consideration, it was further unanimously

agreed that, to prevent their attempting to return and molest the settlers that were to be set down on their lands, it would be most proper to distribute them amongst the several colonies on the continent.

To hunt them into the net was impracticable: artifice was therefore resorted to. By a general proclamation, on one and the same day, the scarcely conscious victims, "both old men and young men, as well as all the lads of ten years of age," were peremptorily ordered to assemble at their respective posts. On the appointed fifth of September, they obeyed. At Grand Pré, for example, four hundred and eighteen unarmed men came together. They were marched into the church and its avenues were closed, when Winslow, the American commander, placed himself in their centre, and spoke: — 1755. Sept.

"You are convened together to manifest to you his majesty's final resolution to the French inhabitants of this his province. Your lands and tenements, cattle of all kinds, and live stock of all sorts, are forfeited to the crown, and you yourselves are to be removed from this his province. I am, through his majesty's goodness, directed to allow you liberty to carry off your money and household goods, as many as you can, without discommoding the vessels you go in." And he then declared them the king's prisoners. Their wives and families shared their lot; their sons, five hundred and twenty-seven in number; their daughters, five hundred and seventy-six; in the whole, women and babes and old men and children all included, nineteen hundred and twenty-three souls. The blow was sudden; they had left home but for the morning, and they never were to return. Their cattle were to stay unfed in the stalls, their fires to die out on their hearths. They had for that first day even no food for themselves or their children, and were compelled to beg for bread.

The tenth of September was the day for the embarkation of a part of the exiles. They were drawn up six deep; and the young men, one hundred and sixty-one in number, were ordered to march first on board the vessel. They could leave their farms and cottages, the shady rocks on

which they had reclined, their herds and their garners; but nature yearned within them, and they would not be separated from their parents. Yet of what avail was the frenzied despair of the unarmed youth? They had not one weapon; the bayonet drove them to obey; and they marched slowly and heavily from the chapel to the shore, between women and children, who kneeling prayed for blessings on their heads, they themselves weeping and praying and singing hymns. The seniors went next; the wives and children must wait till other transport vessels arrive. The delay had its horrors. The wretched people left behind were kept together near the sea, without proper food, or raiment, or shelter, till other ships came to take them away; and December, with its appalling cold, had struck the shivering, half-clad, broken-hearted sufferers, before the last of them were removed. "The embarkation of the inhabitants goes on but slowly," wrote Monckton, from Fort Cumberland, near which he had burned three hamlets; "the most part of the wives of the men we have prisoners are gone off with their children, in hopes I would not send off their husbands without them." Their hope was vain. Near Annapolis, a hundred heads of families fled to the woods, and a party was detached on the hunt to bring them in. "Our soldiers hate them," wrote an officer on this occasion; "and, if they can but find a pretext to kill them, they will." Did a prisoner seek to escape, he was shot down by the sentinel. Yet some fled to Quebec; more than three thousand had withdrawn to Miramachi and the region south of the Ristigouche; some found rest on the banks of the St. John's and its branches; some found a lair in their native forests; some were charitably sheltered from the English in the wigwams of the savages. But seven thousand of these banished people were driven on board ships, and scattered among the English colonies, from New Hampshire to Georgia; one thousand and twenty to South Carolina alone. They were cast ashore without resources; hating the poor-house as a shelter for their offspring, and abhorring the thought of selling themselves as laborers. Households, too, were separated; the colonial newspapers contained advertisements

1755. Sept.

of members of families seeking their companions, of sons anxious to reach and relieve their parents, of mothers moaning for their children.

The wanderers sighed for their native country; but, to prevent their return, their villages, from Annapolis to the isthmus, were laid waste. Their old homes were but ruins. In the district of Minas, for instance, two hundred and fifty of their houses, and more than as many barns, were consumed. The live stock which belonged to them, consisting of great numbers of horned cattle, hogs, sheep, and horses, were seized as spoils and disposed of by the English officials. A beautiful and fertile tract of country was reduced to a solitude. There was none left round the ashes of the cottages of the Acadians but the faithful watch-dog, vainly seeking the hands that fed him. Thickets of forest trees choked their orchards; the ocean broke over their neglected dikes, and desolated their meadows.

Relentless misfortune pursued the exiles wherever they fled. Those sent to Georgia, drawn by a love for the spot where they were born as strong as that of the captive Jews, who wept by the rivers of Babylon, for their own temple and land, escaped to sea in boats, and went coasting from harbor to harbor; but when they had reached New England, just as they would have set sail for their native fields, they were stopped by orders from Nova Scotia. Those who dwelt on the St. John's were torn from their new homes. When Canada surrendered, hatred with its worst venom pursued the fifteen hundred who remained south of the Ristigouche. Once those who dwelt in Pennsylvania presented a humble petition to the Earl of Loudoun, then the British commander in chief in America; and the cold-hearted peer, offended that the prayer was made in French, seized their five principal men, who in their own land had been persons of dignity and substance, and shipped them to England, with the request that they might be kept from ever again becoming troublesome by being consigned to service as common sailors on board ships-of-war. No doubt existed of the king's approbation. The lords of trade, more merciless than the savages and than the wilderness in

winter, wished very much that every one of the Acadians should be driven out; and, when it seemed that the work was done, congratulated the king that "the zealous endeavors of Lawrence had been crowned with an entire success." "We did," said Edmund Burke, "in my opinion, most inhumanly, and upon pretences, that in the eye of an honest man are not worth a farthing, root out this poor, innocent, deserving people, whom our utter inability to govern, or to reconcile, gave us no sort of right to extirpate." I know not if the annals of the human race keep the record of sorrows so wantonly inflicted, so bitter, and so perennial, as fell upon the French inhabitants of Acadia. "We have been true," they said of themselves, "to our religion, and true to ourselves; yet nature appears to consider us only as the objects of public vengeance." The hand of the English official seemed under a spell with regard to them, and was never uplifted but to curse them.

CHAPTER IX.

GREAT BRITAIN UNITES AMERICA UNDER MILITARY RULE. NEWCASTLE'S ADMINISTRATION CONTINUED.

1755–1756.

While the British interpretation of the boundaries of Acadia was made good by occupation, the troops for the central expeditions had assembled at Albany. The army with which Johnson was to reduce Crown Point consisted of New England militia, chiefly from Connecticut and Massachusetts. A regiment of five hundred foresters of New Hampshire were raising a fort in Coos, on the Connecticut; but, under a new summons, they made the long march through the pathless region to Albany. Among them was John Stark, then a lieutenant. The French, on the other hand, called every able-bodied man in the district of Montreal into active service for the defence of Crown Point, so that reapers had to be sent up from Three Rivers and Quebec to gather in the harvest.

Early in August, the New England men, having for 1755.
their major-general Phinehas Lyman, "a man of uncommon martial endowments," were finishing Fort Edward, at the portage between the Hudson and the headsprings of the Sorel. The forests were never free from secret danger; American scalps were sought for by the wakeful savage, to be strung together for the adornment of the wigwam. Towards the end of August, the untrained forces, which, with Indians, amounted to thirty-four hundred men, were conducted by William Johnson across the portage of twelve miles, to the southern shore of the lake, which the French called the Lake of the Holy Sacrament. "I found," said Johnson, "a mere wilderness; never was house or fort erected here

before;" and, naming the waters Lake George, he cleared space for a camp of five thousand men. The lake protects him on the north; his flanks are covered by a thick wood and a swamp. The tents of the husbandmen and mechanics, who form his summer army, are spread on a rising ground; but no fortifications are raised, nor is even a trench thrown up. On week-days, the men, accustomed to freedom, saunter to and fro in idleness; or some, weary of inaction, are ready to mutiny and go home. On Sunday, all come forth and collect in the groves for the worship of God; three hundred red men, also, regularly enlisted under the English flag, and paid from the English treasury, seat themselves on the hillock, and, while the light of a summer's afternoon is shedding its sweetest influence on the tops of the forest-clad mountains and on the still waters of the deep, transparent lake, they listen gravely to the interpretation of a long sermon. Meanwhile, wagon after wagon brought artillery and stores and boats for the troops that were listlessly whiling away the season. The enemy was more adventurous.

"Boldness wins," was Dieskau's maxim. Abandoning the well-concerted plan of an attack on Oswego, Vaudreuil sent him to oppose the army of Johnson. For the defence of the crumbling fortress at Crown Point, seven hundred regulars, sixteen hundred Canadians, and seven hundred savages had assembled. Of these, three hundred or more were emigrants from the Six Nations, domiciliated in Canada. Eager for distinction, Dieskau, taking with him six hundred savages, as many Canadians, and two hundred regular troops, ascended Lake Champlain to its head, designing to go against Fort Edward. The guides took a false route; and, as evening of the fourth day's march came on, the party found itself four miles from the fort, on the road to Lake George. The red men, who never obey imbut insist upon deliberating with the commander ng his secrets, refused to attack the fort, but were o go against the army at the lake, which was thought neither artillery nor intrenchments. Their wish was to.

Late in the night following the seventh of September, it was told in the camp at Lake George that Dieskau's party was on its way to the Hudson. On the next morning, after a council of war, Ephraim Williams, a Massachusetts colonel, the same who, in passing through Albany, had made a bequest of his estate by will to found a free school, was sent with a thousand men to relieve Fort Edward. Among them was Israel Putnam, to whom, at the age of thirty-seven, the assembly at Connecticut had just given the rank of a second lieutenant. Two hundred warriors of the Six Nations went also, led by Hendrick, the gray-haired chieftain, famed for his clear voice and flashing eye. They marched with rash confidence, a little less than three miles, to a defile where the French and Indians had posted themselves on both sides of the way, concealed on the left by the thickets in the swamps, on the right by rocks and the forest that covered the continued rising ground. Before the American party were entirely within the ambush, the French Indians showed themselves to the Mohawks, but without firing on their kindred, leaving the Abenakis and Canadians to make the attack. Hendrick, who alone was on horseback, was killed on the spot; Williams also fell; but Nathan Whiting, of New Haven, conducted the retreat in good order, often rallying and turning to fire. 1755. Sept. 8.

The camp had still no intrenchments. When the noise of musketry was heard, two or three cannon were hastily brought up from the margin of the lake, and trees were felled for a breastwork. These, all too few to lie contiguously, formed with the wagons and baggage some protection to the New England militia, whose arms were but their fowling-pieces, without a bayonet among them all. It had been Dieskau's purpose to rush forward suddenly, and to enter the camp with the fugitives; but the Iroquois took possession of a rising ground, and stood inactive. At this the Abenakis halted also; and the Canadians became intimidated. Dieskau, who was near the camp, advanced with the regular troops to attack the centre, still hoping to be sustained. But the Indians and Canadians scattered themselves through the wilderness of pitch-pines, and as-

cended a knoll within gun-shot, where they crouched
the undergrowth of shrubs and brakes. "Are thes
so much vaunted troops?" cried Dieskau, bitterly.
battle, of which the conduct fell chiefly to Lyman,
between eleven and twelve; Johnson, slightly wou
left the field at the beginning of the action; and fo
hours the New England people, under their own of
good marksmen and taking sight, kept up the most v
fire that had as yet been known in America. Almost a
French regulars perished; Saint-Pierre was killed; Di
was wounded thrice, but would not retire. Two Cana
came to carry him off; one was shot dead by his sid
dismissed the other, and seated himself on the stu
a tree, exposed to the rattle of the bullets. At last, a
Americans, leaping over their slight defences, drov
enemy to flight, a renegade Frenchman wantonly fir
the unhappy man, and wounded him incurably.

1755. Of the Americans, there fell on that day abou
hundred and sixteen, and ninety-six were wounde
the French, the loss was not much greater. Towards
set, a party of three hundred French, who had rallied
were retreating in a body, at two miles from the lake
attacked by Macginnes, of New Hampshire, who, with
hundred men of that colony, was marching across the
age from Fort Edward. Panic-stricken by the wel
certed movement, the enemy fled, leaving their bag
but the brave Macginnes was mortally wounded.

The disasters of the year led the English minist
exalt the repulse of Dieskau. The house of lords,
elegant address, praised the colonists as "brave and
ful." Johnson became a baronet, and received a gratu
five thousand pounds; but he did little to gain the vi
which was due to the enthusiasm of the New England
"Our all," they cried, "depends on the success of th
pedi "Come," said Pomeroy, of Massachusett
hi home, "come to the help of the Lord ag
th you that value our holy religion and our
u nothing, even to the one half of your es
the villages "the prayers of God's people"

up, that "they might be crowned with victory to the glory of God;" for the war with France seemed a war for Protestantism and freedom.

But Johnson knew not how to profit by success; he kept the men all day on their arms, and at night "half of the whole were on guard." Shirley and the New England provinces, and his own council of war, urged him to advance; but while the ever active French took post at Ticonderoga, as Duquesne had advised, he loitered away the autumn, "expecting very shortly a more formidable attack with artillery," and building Fort William Henry near Lake George. When winter approached, he left six hundred men as a garrison, and dismissed the New England militia.

Of the enterprise against Western New York Shirley assumed the conduct. The fort at Niagara was but a house, almost in ruins, surrounded by a small ditch and a rotten palisade of seven or eight feet high. The garrison was but of thirty men, most of them scarcely provided with muskets. There Shirley, with two thousand men, was to have welcomed the victor of the Ohio.

But the news of Braddock's defeat overtook and dis- 1755.
heartened the party. The boatmen on the Mohawk were intractable; at the carrying-place there were not sledges enough to bear the military stores over the morasses. On the twenty-first of August, Shirley reached Oswego. Weeks passed in building boats; on the eighteenth of September, six hundred men were to embark on Lake Ontario, when a storm prevented; afterwards head winds raged; then a tempest; then sickness; then the Indians deserted; and then the season gave him an excuse for retreating. So, on the twenty-fourth of October, having constructed a new fort at Oswego, and placed Mercer in command, with a garrison of seven hundred men, he left the borders of Lake Ontario.

At this time, a paper by Franklin, published in Boston and reprinted in London, had drawn the attention of all observers to the rapid increase of the population in the colonies. "Upon the best inquiry I can make," wrote Shirley, "I have found the calculations right. The num-

ber of the inhabitants is doubled every twenty years;" and the demand for British manufactures, with a corresponding employment of shipping, increased with even greater
1755. rapidity. "Apprehensions," added Shirley, "have been entertained that they will in time unite to throw off their dependency upon their mother country, and set up one general government among themselves. But, if it is considered how different the present constitutions of their respective governments are from each other, how much the interests of some of them clash, and how opposed their tempers are, such a coalition among them will seem highly improbable. At all events, they could not maintain such an independency without a strong naval force, which it must for ever be in the power of Great Britain to hinder them from having. And whilst his majesty hath seven thousand troops kept up within them, with the Indians at command, it seems easy, provided his governors and principal officers are independent of the assemblies for their subsistence, and commonly vigilant, to prevent any step of that kind from being taken." But the measures proposed to secure the colonies were to be the means of effecting their union and separate existence.

The topic which Shirley discussed with the ministry engaged the thoughts of the Americans. At Worcester, a thriving village of a little more than a thousand people, the whole town was immersed in politics. The interests of nations and the horrors of war made the subject of every conversation. The master of the town school, where the highest wages were sixty dollars for the season, a young man of hardly twenty, son of a small farmer, just from Harvard College, and at that time meditating to become a preacher, would sit and hear, and, escaping from a maze of observations, would sometimes retire, and, by "laying things together, form some reflections pleasing" to himself; for he loved the shady thickets and gloomy grottoes, where he would sit by the hour and listen to the falls of water. "All creation," he would say in his musings, "is liable to change. Mighty states are not exempted. Soon after the Reformation, a few people came over into this new world for con-

science' sake. This apparently trivial incident may transfer the great seat of empire into America. If we can remove the turbulent Gallics, our people, according to the exactest calculations, will, in another century, become more numerous than England itself. All Europe will not be able to subdue us. The only way to keep us from setting up for ourselves is to disunite us." Such were the dreams of John Adams, while "pinched and starved" as the teacher of a "stingy," New England free school. Within twenty-one years, he shall assist in declaring his country's independence; in less than thirty, this master of the town school of Worcester, after a career of danger and effort, shall stand before the king of Great Britain, the acknowledged envoy of the free and United States of America.

After the capture of the "Alcide" and the "Lys" by Boscawen, it was considered what instructions should be given to the British marine. The mother of George III. inveighed most bitterly "against not pushing the French everywhere; the parliament would never bear the suffering the French to bring home their trade and sailors;" she wished Hanover in the sea, as the cause of all misfortunes. Newcastle suggested trifles, to delay a decision. "If we are convinced it must be war, I," said Cumberland, "have no notion of not making the most of the strength and opportunity in our hands." The Earl of Granville was against meddling with trade: "It is vexing your neighbors for a little muck." "I," said Newcastle, the prime minister, "think some middle way may be found out." He was asked what way. "To be sure," he replied, "Hawke must go out; but he may be ordered not to attack the enemy, unless he thinks it worth while." He was answered, that Hawke was too wise to do any thing at all, which others, when done, were to pronounce he ought to be hanged for. "What," replied the duke, "if he had orders not to fall upon the French, unless they were more in number together than ten?" The Brest squadron, it was replied, is but nine. "I mean that," resumed Newcastle, "of the merchant-men only." Thus he proceeded with inconceivable absurdity. France and England were still at peace; and

their commerce was mutually protected by the sanctity of treaties. Of a sudden, orders were issued to all British vessels of war to take all French vessels, private as well as public; and, without warning, ships from the French colonies, the ships carrying from Martinique to Marseilles the rich products of plantations tilled by the slaves of Jesuits, the fishing-smacks in which the humble Breton mariners ventured to Newfoundland, whale-ships returning from their adventures, the scanty fortunes with which poor men freighted the little barks engaged in the coasting trade, were within one month, by violence and by cowardly artifices, seized by the British marine, and carried into English ports, to the value of thirty millions of livres. "What has taken place," wrote Rouillé, under the eye of Louis XV., "is nothing but a system of piracy on a grand scale, unworthy of a civilized people." As there had been no declaration of war, the courts of admiralty could not then warrant the outrage. The sum afterwards paid into the British exchequer, as the king's share of the spoils, was about seven hundred thousand pounds. Eight thousand French seamen were held in captivity. "Never," said Louis XV., "will I forgive the piracies of this insolent nation;" and, in a letter to George II., he demanded ample reparation for the insult to the flag of France by Boscawen, and for the seizures by the English men-of-war, committed in defiance of international law, the faith of treaties, the usages of civilized nations, and the reciprocal duties of kings. The wound thus inflicted on France would not heal, and for a whole generation was ready to bleed afresh. At the time, the capture of so many thousand French seamen was a subject of boast in the British parliament; and the people were almost unanimous for war, in which success would require the united activity of the colonies and allies in Europe.

1755. Oct. 21.

The incompetent ministry turned to Russia. "Seize the opportunity," such was the substance of their instructions to their boastful and credulous envoy, "seize the opportunity to convince the Russians that they will remain only an Asiatic power, if they allow the king of Prussia to carry

through his plans of aggrandizement;" and full authority was given to effect an alliance with Russia, to overawe Prussia and control the politics of Germany. Yet at that time Frederic manifested no purpose of making conquests.

In this manner a treaty was concluded, by which England, on the point of incurring the hostility of 1755. the Catholic princes, bound itself to pay to Russia at least half a million of dollars annually, and contingently two and a half million of dollars, in order to balance and paralyze the influence of the only considerable Protestant monarchy on the continent. The English king was so eagerly bent on this shameful negotiation, that Bestuchef, the Russian minister, obtained a gratuity of fifty thousand dollars, and one or two others received payments in cash and annuities. "A little increase of the money to be paid," said Bestuchef, "would be extremely agreeable. Fifty thousand pounds for the private purse of the empress would put her and her court at his majesty's management." At the same time, an extravagant treaty for subsidies was framed with Hesse, whose elector bargained at high rates for the use of his troops for the defence of Hanover, or, if needed, of the British dominions. Newcastle was sure of his majority in the house of commons; but William Pitt, though poor, and recently married, and holding the lucrative office of paymaster, declared his purpose of opposing the treaty with Russia. Newcastle sent for Pitt, offered him kind words from his sovereign, influence, preferment, confidence. Expressing devotion to the king, Pitt was inexorable: he would support the Hessian treaty, which was only a waste of money, but not a system of treaties dangerous to the liberties of Germany and of Europe. Newcastle grew nervous from fright, and did not recover courage till, in November, Fox consented to accept the seals and defend the treaties. At the great debate, Pitt taunted the majority, which was as three to one, with corruption and readiness "to follow their leader;" and, indirectly attacking the subjection of the throne to aristocratic influence, declared that "the king owes a supreme service to his people." Pitt was dismissed from office; and George Grenville, with Legge, the chan-

cellor of the exchequer, and Charles Townshend, retired with him.

The treaty with Russia was hardly confirmed, when the ministry yielded to the impulse given by Pitt; and, after subsidizing Russia to obtain the use of her troops against Frederic, it negotiated an alliance with Frederic himself not to permit the entrance of Russian or any other foreign troops into Germany. The British aristocracy Newcastle sought to unite by a distribution of pensions and places. This is the moment when Hillsborough first obtained an employment, when the family of Yorke named Soame Jenyns for a lord of trade, and when Bedford was propitiated by the appointment of Richard Rigby to a seat at the same board. The administration proceeded, possessing the vote, but not the respect of parliament.

At the head of the American forces it had placed Shirley, a worn-out barrister, who knew nothing of war, yet, in December, at a congress of governors at New York, planned a campaign for the following year. Quebec was to be menaced by way of the Kennebec and the Chaudière; Frontenac and Toronto and Niagara were to be taken; and then Fort Duquesne and Detroit and Michilimackinac, deprived of their communications, were of course to surrender. Sharpe, of Maryland, thought all efforts vain, unless parliament should interfere; and this opinion he enforced in many letters. His colleagues and the officers of the army were equally importunate. "If they expect
1756. success at home," wrote Gage, in January, 1756, echoing the common opinion of those around him, "acts of parliament must be made to tax the provinces, in proportion to what each is able to bear; to make one common fund and pursue one uniform plan for America." "You," said Sir Charles Hardy, the new governor of New York, to the lords of trade, "you will be much more able to settle it for us than we can ourselves."

From the Old Dominion, Dinwiddie continued to urge a general land-tax and poll-tax for all the colonies. "Our people," said he, "will be inflamed, if they hear of my making this proposal;" but he reiterated the hopelessness

of obtaining joint efforts of the colonies by appeals to American assemblies. He urged also the subversion of charter governments; "for," said he to the secretary of state, "I am full of opinion we shall continue in a most disunited and distracted condition till his majesty takes the proprietary governments into his own hands. Till these governments are under his majesty's immediate direction, all expeditions will prove unsuccessful. These dominions, if properly protected, will be the western and best empire in the world."

With more elaborateness and authority, Shirley, 1756. still pleading for "a general fund," assured the ministers that the several assemblies would not agree among themselves upon such a fund; that, consequently, it must be done in England; and that the only effectual way of doing it there would be by an act of parliament, in which he professed to have great reason to think the people would readily acquiesce. The success of any other measure would be doubtful; and, suggesting a "stamp duty" as well as an excise and a poll-tax, he advised, "for the general satisfaction of the people in each colony, to leave it to their choice to raise the sum assessed upon them according to their own discretion;" but, in case of failure, "proper officers" were to collect the revenue "by warrants of distress and imprisonment of persons." Shirley was a civilian, versed in English law, for many years a crown officer in the colonies, and now having precedence of all the governors. His opinion carried great weight; and it became henceforward a firm persuasion among the lords of trade, especially Halifax, Soame Jenyns, and Rigby, as well as with all who busied themselves with schemes of government for America, that the British parliament must take upon itself the establishment and collection of an American revenue.

While the officers of the crown were thus conspiring against American liberty, the tomahawk was uplifted along the ranges of the Alleghanies. The governor of Virginia pressed upon Washington the rank of colonel and the command of the volunteer companies which were to guard its frontier, from Cumberland through the whole valley of

the Shenandoah. Difficulties of all kinds gathered in his path: the humblest captain that held a royal commission claimed to be his superior; and, for the purpose of a personal appeal to Shirley, he made a winter's journey to Boston. How different was to be his next entry into that town!

1756. Shirley, who wished to make him second in command in an expedition against Fort Duquesne, sustained his claim. When his authority was established, his own officers still needed training and instruction, tents, arms, and ammunition. He visited in person the outposts from the Potomac to Fort Dinwiddie, on Jackson's River; but had not force enough to protect the region. The low countries could not spare their white men, for these must watch their negro slaves. From the western valley every settler had already been driven; from the valley of the Shenandoah they were beginning to retreat, in droves of fifties, till the Blue Ridge became the frontier of Virginia. "The supplicating tears of the women and moving petitions of the men," wrote Washington, "melt me into such deadly sorrow, that, for the people's ease, I could offer myself a willing sacrifice to the butchering enemy."

In Pennsylvania, measures of defence were impeded by the proprietaries, who, in concert with the board of trade, sought to take into their own hands the management of the revenue from excise; to restrain and regulate the emissions of paper money; to make their own will, rather than good behavior, the tenure of office. But the assembly was inflexible in connecting their grants for the public service with the preservation of their executive influence and the taxation of "all estates real and personal, those of the proprietaries not excepted."

While these passionate disputes were raging, it was represented in England that the frontier of the province was desolate and defenceless; that the Shawnees had scaled the mountains, and prowled with horrible ferocity along the branches of the Susquehannah and the Delaware; that, in the time of a yearly meeting of Quakers, the bodies of a German family, murdered and mangled by the savages, had been brought down to Philadelphia; that men had even

surrounded the assembly, demanding protection, which was withheld.

But provincial laws had already provided quarters for the British soldiers; had established a voluntary militia; and, when the proprietaries consented to pay five thousand pounds towards the public defence, had granted fifty-five thousand more. Franklin, who was one of the commissioners to apply the money, yielded to the wish of the governor, and took charge of the north-western border. Men came readily under his command; and he led them through dangerous defiles, to build a fort at Gnadenhutten on the Lehigh. The Indians had made the village a scene of silence and desolation; the mangled inhabitants lay near the ashes of their houses unburied, exposed to birds and beasts of prey. With Franklin came every thing that could restore security; and he succeeded in establishing the intended line of forts. Recalled to Philadelphia, he found that the voluntary association for defence under the militia law went on with great success. Almost all the inhabitants, who were not Quakers, joined together to form companies, which themselves elected their officers. The officers of the companies chose Franklin colonel of their regiment of twelve hundred men, and he accepted the post.

Here again was a new increase of popular power. In the house of commons, Lord George Sackville charged the situation of affairs in America "on the defects of the constitution of the colonies." He would have "one power established there." "The militia law of Pennsylvania," he said, "was designed to be ineffectual; it offered no compulsion, and, moreover, gave the nomination of officers to the people." The administration hearkened to a scheme for dissolving the assembly of that province by act of parliament, and disfranchising "the Quakers for a limited time," till laws for armed defence and for diminishing the power of the people could be framed by others.

After the long councils of indecision, the ministry of Newcastle, shunning altercations with colonial assemblies, gave a military character to the interference of Great Britain in American affairs. To New York instructions

were sent "not to press the establishment of a perpetual revenue for the present." The northern colonies, whose successes at Lake George had mitigated the disgraces of the previous year, were encouraged by a remuneration; and, as a measure of temporary expediency, not of permanent policy or right, as a gratuity to stimulate exertions, and not to subsidize subjects, one hundred and fifteen thousand pounds were granted to them in proportion to their efforts. Of this sum, fifty-four thousand pounds fell to Massachusetts, twenty-six thousand to Connecticut, fifteen thousand to New York. At the same time, the military affairs of the continent were consolidated, with some reference to opinions and precedents as old as the reign of William III. The board of trade, first called into existence in 1696, had hardly been constituted, before it was summoned to plan unity in the military efforts of the provinces; and Locke, with his associates, despaired, on beholding them "crumbled into little governments, disunited in interests, in an ill posture and much worse disposition to afford assistance to each other for the future." The board, in 1697, "after considering with their utmost care," could only recommend the appointment of "a captain-general of all the forces and all the militia of all the provinces on the continent of North America, with power to levy and command them for their defence, under such limitations and instructions as to his majesty should seem best;" "to appoint officers to train the inhabitants;" "from the Quakers to receive in money their share of assistance;" and "to keep the Five Nations firm in friendship." "Rewards" were to be given "for all executions done by the Indians on the enemy, and the scalps they should bring in to be well paid for."

In 1721, this plan of a military dictatorship was revived, and developed in a most elaborate state paper. All the provinces were to be placed "under the government of one lord-lieutenant or captain-general," to be "constantly attended by two or more councillors deputed from each plantation," and to "have a fixed salary independent of the pleasure of the inhabitants." "By this means, it was thought, a general contribution of men or money might

be raised upon the several colonies, in proportion to their respective abilities." How an American revenue was to flow from such an appointment was not fully disclosed. At that time, the Earl of Stair was selected as viceroy; but he declined the post before the arrangements were completed. The plan was now to be partially carried into effect. On the instance of Cumberland and Fox, Shirley was superseded and ordered to return to England; and the Earl of Loudoun, a friend of Halifax, passionately zealous for the subordination and inferiority of the colonies, was appointed commander in chief of the army throughout the British continental provinces in America. His dignity was enhanced by a commission as governor of the central, ancient, and populous dominion of Virginia. This commission, which was prepared by the chancellor, Hardwicke, established a military power throughout the continent, independent of the colonial governors, and superior to them. They, in right of their office, might claim to be the civil and military representatives of the king; yet they could not give the word within their own respective provinces, except in the absence of the continental commander and his representatives; and this commission, so contrary to the spirit of the British constitution, was renewed successively and without change till the period of independence. Such were the powers with which Loudoun was sent forth to unite America by military rule, to sway its magistrates by his authority, and to make its assemblies "distinctly and precisely understand" that the king "required" of them "a general fund, to be issued and applied as the commander in chief should direct," and "provision for all such charges as might arise from furnishing quarters." 1756.

The administration was confirmed in its purpose of throwing the burden of furnishing quarters upon the colonies by the authority of Murray. His opinion against the statute of Pennsylvania, which, in extending the act of parliament to punish mutiny, regulated the providing of quarters, drew a distinction between Englishmen and Americans. "The law," said he, "assumes propositions true in the mother country, and rightly asserted in the reign of Charles I. and

Charles II., in times of peace, and when soldiers were kept up without the consent of parliament; but the application of such positions, in time of war, in the case of troops raised for their protection by the authority of parliament, — made the first time by an assembly, many of whom plead what they call conscience for not joining in the military operations to resist the enemy, — should not be allowed to stand as law." This act, therefore, was repealed by the king in council; and the rule was established, without limitation, that troops might be kept up in the colonies and quartered on them at pleasure, without the consent of their American parliaments.

Thus, after sixty years of advice from the board of
1756. trade, a permanent army was established in America.

Nothing seemed wanting but an act of parliament for an American revenue. The obstinacy of Pennsylvania was pleaded as requiring it. On the questions affecting that province, the board of trade listened to Charles Yorke on the side of prerogative, while Charles Pratt spoke for colonial liberty; and, after a long hearing, Halifax, and Soame Jenyns, and Richard Rigby, and Talbot joined in advising an immediate act of the British legislature to overrule the charter of the province. But the ministry was rent by factions, and their fluctuating tenure of office made it difficult to mature novel or daring measures of legislation. There existed no central will that could conquer Canada or subvert the liberties of America.

A majority of the treasury board, as well as the board of trade, favored American taxation by act of parliament; none scrupled as to the power; but "the unfit" Lyttelton, then chancellor of the exchequer, though fixed in his opinions, could not mature schemes of finance; and the British statutes, which manifest the settled purpose of raising a revenue out of the traffic between the American continent and the West India Islands, show that the execution of that purpose was, at that session, and twice afterwards, deferred to a quieter period.

Still the parliament, in the session of 1756, extended its authority signally over America. There foreign Protestants

might be employed as engineers and officers to enlist a regiment of aliens. Indented servants might be accepted, and their masters were referred for compensation to the respective assemblies; and the naval code of England was extended to all persons employed in the king's service on the lakes, great waters, or rivers of North America. The militia law of Pennsylvania was repealed by the king in council; the commissions of all officers elected under it were cancelled; the companies themselves were broken up and dispersed. And, while volunteers were not allowed to organize themselves for defence, the humble intercession of the Quakers with the Delawares, the little covenants resting on confidence and ratified by presents, peaceful stipulations for the burial of the tomahawk and the security of the frontier fireside and the cradle, were censured by Lord Halifax as the most daring violation of the royal prerogative. Each northern province, also, was forbidden to negotiate with the Indians; and their relations were intrusted to Sir William Johnson, with no subordination but to Loudoun.

Yet all could not prevail. "In a few years," said one, who, after a long settlement in New England, had just returned home, the colonies of "America will be independent of Britain;" and at least one voice was raised to advise the sending out of Duke William of Cumberland to be their sovereign and emancipating them at once.

William Smith, the semi-republican historian of New York, insisted that "the board of trade did not know the state of America;" and he urged a law for an American union with an American parliament. "The defects of the first plan," said he, "will be supplied by experience. The British constitution ought to be the model; and, from our knowledge of its faults, the American one may rise with more health and soundness in its first contexture than Great Britain will ever enjoy."

CHAPTER X.

THE WHIG ARISTOCRACY CANNOT GOVERN ENGLAND. NEWCASTLE'S ADMINISTRATION CONTINUED.

1756–1757.

WAR was not declared by England till May, though her navy was all the while despoiling the commerce of France. On the avowal of hostilities, she forbade neutral vessels to carry merchandise belonging to her antagonist. Frederic of Prussia had insisted that, "by the law of nations, the goods of an enemy cannot be taken from on board the ships of a friend;" that free ships make free goods. Against this interpretation of public law, Murray, citing ancient usage against the lessons of wiser times, gave the elaborate opinion which formed the basis of English policy and admiralty law, that the effects of an enemy can be seized on board the vessel of a friend. This may be proved by authority, said the illustrious jurist, not knowing that humanity appeals from the despotic and cruel precedents of the past to the more intelligent and more humane spirit of advancing civilization. War is a trial of force, not a system of spoliation. Neutral nations believed in their right "to carry in their vessels, unmolested, the property" of belligerents; but Britain, to give efficacy to her naval power, "seized on the enemy's property which she found on board neutral ships." With the same view, she arbitrarily invaded the sovereignty of Holland, capturing its vessels whose cargoes might be useful for her navy. The treaties between England and Holland stipulated expressly that free ships should make free goods; that the neutral should enter safely and unmolested all the harbors of the belligerents, unless they were blockaded or besieged; that the contraband of war

should be strictly limited to arms, artillery, and horses, and should not include materials for ship-building. But Great Britain, in the exercise of its superior strength, prohibited the commerce of the Netherlands in naval stores; denied them the right to become the carriers of French colonial products; and declared all the harbors of France in a state of blockade, and all vessels bound to them lawful prizes. Such was the rule of 1756. "To charge England with ambition," said Charles Jenkinson, an Oxford scholar, who had given up the thought of entering the church, and hoped for success in public life, "to charge England with ambition must appear so absurd to all who understand the nature of her government, that at the bar of reason it ought to be treated rather as calumny than accusation." The grave confidence of his discourse was by his own countrymen deemed conclusive; but the maritime assumptions of England were turning against her the sympathies of the civilized world.

April was almost gone before Abercrombie, who was to be next in command to the Earl of Loudoun, with Webb and two battalions, sailed from Plymouth for New York. Loudoun waited for his transports, that were to carry tents, ammunition, artillery, and intrenching tools; and at last, near the end of May, sailed without them. The man-of-war, which bore one hundred thousand pounds to reimburse the colonies for the expenses of 1755, and stimulate their activity for 1756, did not sail till the middle of June. The cannon for ships on Lake Ontario did not reach America till August. "We shall have good reason to sing Te Deum, at the conclusion of this campaign," wrote the lieutenant-governor of Maryland, "if matters are not then in a worse situation than they are at present."

On the fifteenth of June arrived the forty German officers who were to raise recruits for Loudoun's royal American regiment of four thousand. At the same time came Abercrombie. Letters awaited him in praise of Washington. "Be pleased to acquaint Colonel Washington," so wrote Shirley, while still first in command of the army in America, to the governor of Maryland, "that the appointment of him to the

second command in the proposed expedition upon the Ohio will give me great satisfaction and pleasure; that I know no provincial officer upon this continent to whom I would so readily give it as to himself; that I shall do it, if there is nothing in the king's orders, which I am in continual expectation of, that interferes with it." "He is a very deserving gentleman," wrote Dinwiddie, "and has from the beginning commanded the forces of this dominion. He is much beloved, has gone through many hardships in the service, has great merit, and can raise more men here than any one." He therefore urged his promotion in the British establishment; but England trusted foreigners rather than Americans.

On the twenty-fifth, Abercrombie reached Albany, intent that the regular officers should command the provincials, and that the troops should be quartered on private houses. The next day, Shirley acquainted him with the state of Oswego, advising that two battalions should be sent forward for its protection. The boats were ready, every magazine along the passage plentifully supplied; but the general could meditate only on triumphs of authority. "The great, the important day for Albany dawned." On the twenty-seventh, "in spite of every subterfuge, the soldiers were at last billeted upon the town." After this, Abercrombie loitered at Albany; ordering a survey of it, that it might be ditched and stockaded round.

On the twelfth of July, the brave Bradstreet returned from Oswego, having thrown into the fort six months' provision for five thousand men, and a great quantity of stores. He brought intelligence that a French army was in motion to attack the place; and Webb, with the forty-fourth regiment, was ordered to hold himself in readiness to march to its defence. But nothing was done. The regiments of New England, with the provincials from New York and New Jersey, amounted to more than seven thousand men; with the British regular regiments, to more than ten thousand men, besides the garrison at Oswego. In the previous year, the road had been opened, the forts erected. But Abercrombie was still at Albany, when, on the twenty-ninth, the

Earl of Loudoun arrived. There, too, "the viceroy" wasted time with the rest; doing nothing, having ten or twelve thousand men at his disposition; keeping the provincials idle in their camps, victims to disease, which want of employment and close quarters generated.

The French had been more active. While the savages made inroads to the borders of Ulster and Orange counties, De Lery, leaving Montreal in March with a party of more than three hundred men, hastened over ice and snow along the foot of mountains; by roads known to red men alone, they penetrated to Fort Bull, at the Oneida portage; gained it after a short struggle and a loss of three men, destroyed its stores, and returned with thirty prisoners to Montreal. Near the end of May, eight hundred men, led by the intrepid and prudent De Villiers, made their palisaded camp under the shelter of a thicket near the mouth of Sandy Creek, whence little parties, hovering round the passes of Onondaga River, intercepted supplies for Oswego.

Of the Six Nations, the four lower ones, the Onondagas, Oneidas, Cayugas, and Mohawks, sent thirty of their chiefs to Montreal to solicit neutrality. "Our young braves," they were answered, "seek their foes wherever they are to be found; but, if you do not join the English, they shall not harm you;" and the envoys of the neutral tribes returned laden with presents.

Just then, the field-marshal Marquis de Montcalm arrived at Quebec; a man of a strong and well-stored memory; of a quick and highly cultivated mind; of small stature; rapid in thought and in conversation; and of restless mobility. He was accompanied by the Chevalier de Levis Leran, and by Bourlamarque, colonel of infantry. Travelling day and night, he hurried to Fort Carillon, at Ticonderoga; by two long marches on foot, he made himself familiar with the ground, and took measures for improving its defences. He next resolved by secrecy and celerity to take Oswego. Collecting at Montreal three regiments from Quebec, and a large body of Canadians and Indians, on the fifth of August he reviewed his troops at Frontenac, and on the evening of the same day anchored in Sackett's Harbor.

Fort Oswego, on the right of the river, was a large stone building surrounded by a wall flanked with four small bastions, and was commanded from adjacent heights. For its defence, Shirley had crowned a summit on the opposite bank with Fort Ontario. Against this outpost, Montcalm, on the twelfth of August, at midnight, opened his trenches. The next evening, the garrison, having expended their ammunition, spiked their cannon, and retreated to Fort Oswego. Immediately he occupied the height, and turned such of the guns as were serviceable against the remaining fortress. His fire killed Mercer, the commander, and soon made a breach in the wall. On the fourteenth, just as he was preparing to storm the intrenchments, the British force, about sixteen hundred in number, capitulated. Forty-five perished: twelve of them in action; the rest by the Indians, in attempting to escape through the woods. The prisoners of war descended the St. Lawrence; their colors were sent as trophies to decorate the churches of Montreal, Three Rivers, and Quebec; one hundred and twenty cannon, six vessels of war, three hundred boats, stores of ammunition and provisions, and three chests of money, fell to the conquerors.

Amidst the delight of the Canadians and the savages, the missionaries planted a cross bearing the words: "This is the banner of victory;" by its side rose a pillar with the arms of France, and the inscription: "Bring lilies with full hands." Expressions of triumphant ecstasy broke from Montcalm; but, to allay all jealousy of the red men, he razed the forts and left Oswego a solitude.

Webb, who should have relieved the place, went tardily to the Oneida portage; and, after felling trees to obstruct the passage to the Onondaga, fled in terror to Albany.

Loudoun approved placing obstacles between his army and the enemy; for he, also, "was extremely anxious about an attack" from the French, while "flushed with success." "If it had been made on the provincials alone, it would," he complacently asserted, "have been followed with very fatal consequences." Provincials had, it was true, saved the remnant of Braddock's army; provincials had conquered

Acadia; provincials had defeated Dieskau; but Abercrombie and his chief sheltered their own imbecility under complaints of America. After wasting a few more 1756. weeks in busy inactivity, Loudoun, whose forces could have penetrated to the heart of Canada, left the French to construct a fort at Ticonderoga, and dismissed the provincials to their homes, the regulars to winter-quarters. Of the latter, a thousand were sent to New York, where free quarters for the officers were demanded of the city. The demand was resisted by the mayor, as contrary to the laws of England and the liberties of America. "Free quarters are everywhere usual," answered the commander in chief; "I assert it on my honor, which is the highest evidence you can require." The citizens pleaded in reply their privileges as Englishmen, by the common law, by the petition of right, and by acts of parliament. Furious at the remonstrance, the "viceroy," with an oath, answered the mayor: "If you do not billet my officers upon free quarters this day, I'll order here all the troops in North America under my command, and billet them myself upon the city." So the magistrates got up a subscription for the winter support of officers who had done nothing for the country but burden its resources. In Philadelphia, Loudoun uttered the same menace; and the storm was averted only by an adjustment. The frontier had been left open to the French; this quartering troops in the principal towns at the expense of the inhabitants, by the illegal authority of a military chief, was the great result of the campaign.

Yet native courage flashed up in every part of the colonies. The false Delawares, thirsting for victims and secret as the night, from their village at Kittaning, within forty-five miles of Fort Duquesne, stained all the border of Pennsylvania with murder and scalping. To destroy them, three hundred Pennsylvanians crossed the Alleghanies, conducted by John Armstrong, of Cumberland county, famed as inheriting the courage of the Scottish covenanters.

In the night following the seventh of September, the avenging party, having marched on that day thirty miles through the unbroken forests, were guided to the Indian

village of Kittaning, by the beating of a drum and the whooping of warriors at their festival; and they lay quiet and hush till the moon was fairly set. They heard a young fellow whistling near them, as a signal to a squaw after his dance was over; and in a field of maize, on the margin of the river, they saw the fires near which the Indians, with
1756. no dreams of danger, took their rest. At daybreak, three companies which lagged in the rear were brought over the last precipice; and at the same moment the attack began on the Delawares who had slept abroad, and on the houses which lay discovered under the light of morning. Jacobs raised the war-whoop, crying: "The white men are come; we shall have scalps enough." The squaws and children fled to the woods; the warriors fought with desperate bravery and skill as marksmen. "We are men," they shouted; "we will not be made prisoners." The town being set on fire, some of them sang their death-song in the flames. Their store of powder, which was enough for a long war, scattered destruction as it exploded. Jacobs and others, attempting flight, were shot and scalped; the town was burnt to ashes, never to be rebuilt by savages. But the Americans lost sixteen men; and Armstrong was among the wounded. Hugh Mercer, captain of the company which suffered most, was hit by a musket-ball in the arm, and with five others separated from the main body; but, guided by the stars and rivulets, they found their way back. Philadelphia voted honors to Armstrong and his gallant band; Pennsylvania has given his name to the county that includes the battle-field.

At the south, adventurers formed a settlement beyond the Alatamaha, on the banks of the Santilla and the Island of Cumberland; established their own rules of government; and held the country as far as the St. Mary's, in defiance of South Carolina and of the Spaniards at St. Augustine.

At the same time, two hundred men, three fifths of whom were provincials, under the command of Captain Demeré, were engaged in completing the new Fort Loudoun, near the junction of the Tellico and the Tennessee. It had

twelve great guns, which had been brought from Charleston over the mountains. The Cherokees were much divided in sentiment. "Use all means you think proper," wrote Lyttelton, "to induce our Indians to take up the hatchet; promise a reward to every man who shall bring in the scalp of a Frenchman or of a French Indian."

In December, the Six Nations sent a hundred and eighty delegates to meet the Nipisings, the Algonkins, the Pottawatomies, and the Ottawas, at Montreal. All promised at least neutrality; the young braves wished to join the French, and they trod the English medals under foot.

In England, the cabinet, though commanding a subservient majority, was crumbling in pieces from its real weakness, and the weariness of the people of England at the unmixed government of the aristocracy. The great commoner, a poor and now a private man, "prepared to take the reins out of such hands;" and the influence of popular opinion came in aid of his just ambition. To this end, he connected himself with the family of the successor. In June, 1756, Prince George, being eighteen, became of age; and Newcastle, with the concurrence of the king, would have separated his establishment from that of his mother. They both were opposed to the separation; and Pitt exerted his influence against it with a zeal and activity to which they were most sensible. 1756.

The Earl of Bute had been one of the lords of the bedchamber to the late Prince of Wales, who used to call him "a fine, showy man, such as would make an excellent ambassador in a court where there was no business." He was ambitious, yet his personal timidity loved to lean on a nature firmer than his own. Though his learning was small, he was willing to be thought a man who could quote Horace, and find pleasure in Virgil and Columella. He had an air of the greatest importance, and in look and manner assumed an extraordinary appearance of wisdom. Unacquainted with business and unemployed in public office, yet as a consistent and obsequious royalist, he retained the confidence of the princess dowager, and was the instructor of the future sovereign of England in the theory of the British

constitution. On the organization of his household, Prince George desired to have him about his person.

The request of the prince, which Pitt advocated, was resisted by Newcastle and by Hardwicke. To embroil the royal family, the latter did not hesitate to assail the reputation of the mother of the heir-apparent by tales of malicious scandal, which party spirit delighted to perpetuate.

1756. But, in the first public act of Prince George, he displayed the firmness of his character. Heedless of the prime minister and the chancellor, the young man of eighteen, with many professions of duty to the king, expressed "his desires, nay, his fixed resolutions," to have "the free choice of his servants." Having wantoned with the resentment of the successor and his mother, Newcastle became terrified and yielded. The king gave his consent reluctantly. While Pitt formed intimate relations with the favorite of Leicester house, Charles Townshend, who had recently married the cousin of Bute, thought even more meanly of him than of Newcastle.

Restless at sharing the disgrace of an administration which met everywhere with defeat except in the venal house of commons, Fox declared "his situation impracticable," and he left the cabinet. At the same time, Murray, refusing to serve longer as attorney-general, would be lord chief justice with a peerage, or retire to private life. The place had been vacant a term and a circuit; Newcastle dared not refuse or make more delay; and the influence of Bute and Leicester house prevailed to bring Murray as Lord Mansfield upon the bench. There was no one in the house who, even with a sure majority, dared attempt to cope with Pitt. Newcastle sought to negotiate with him. "A plain man," he answered, "unpractised in the policy of a court, must never presume to be the associate of so experienced a minister." "Write to him yourself," said Newcastle to Hardwicke; "don't boggle at it; you see the king wishes it; Lady Yarmouth advises it;" and Hardwicke saw him. But Pitt, after a three hours' interview, gave him a totally negative answer, unless there should be a change both of "the Duke of Newcastle and his measures." Newcastle next in—

sisted, with the king, that there was nothing alleged against him but conducting the war according to the king's own desire; so that he himself was about to become a victim to his loyalty. But Pitt, who had never before waited upon Lady Yarmouth, counterworked the duke by making a long visit to the king's mistress. The duke attempted to enlist Egremont, offered power to Granville, and at last, having still an undoubted majority in the house of commons, the leader of the whig aristocracy was compelled to recognise the power of opinion in England as greater than his own, and most reluctantly resigned. The exclusive whig party, which had ruled since the accession of the house of Hanover, had yet never possessed the affections of the people of England, and no longer enjoyed its confidence.

In December, William Pitt, the man of the people, 1756. the sincere lover of liberty, having on his side the English nation, of which he was the noblest type, was commissioned to form a ministry. He found the Earl of Bute "transcendingly obliging;" and, from the young heir to the throne, "expressions" were repeated "so decisive of determined purposes" of favor, "in the present or any future day," that "his own lively imagination could not have suggested a wish beyond them." For the chief of the treasury board, he selected the Duke of Devonshire, with Legge as chancellor. Temple presided over the admiralty. George Grenville was made treasurer of the navy. To Charles Townshend was offered a useless place, neither ministerial nor active; and his resentment at the disdainful slight was not suppressed, till his elder brother and Bute interceded in "the name of the Prince of Wales."

But the transition in England from the rule of the aristocracy to a greater degree of popular power could not as yet take place. If there was an end of the old aristocratic rule, it was not clear what should come in its stead. The condition of the new minister was seen to be precarious. On entering office, Pitt's health was so infirm that he took the oath at his own house, though the record bears date at St. James's. The house of commons, which he was to lead, had been chosen under the direction of Newcastle,

whom he superseded. His subordinates even ventured to be refractory. The court, too, was his enemy. George II., spiritless and undiscerning, liked subjection to genius still less than to aristocracy. On the other hand, Prince George, in March, sent assurances to Pitt of "the firm support and countenance" of the heir to the throne. "Go on, my dear Pitt," said Bute; "make every bad subject your declared enemy, every honest man your real friend. How much we think alike! I, for my part, am unalterably your most affectionate friend." But even that influence was unavailing. In the conduct of the war, the Duke of Cumberland exercised the chief control; in the house of commons, the friends of Newcastle were powerful; in the council, the king encouraged opposition.

America was become the great object of European
1757. attention; Pitt, disregarding the churlish cavils of the lords of trade, pursued towards the colonies the generous policy which afterwards called forth all their strength. He respected their liberties, and relied on their willing co-operation. Halifax was planning taxation by parliament, in which he was aided, among others, by Calvert, the secretary of Maryland, residing in England. In January, 1757, the British press defended the scheme, which had been "often mentioned in private, to introduce a stamp duty on vellum and paper, and to lower the duty upon foreign rum, sugar, and molasses imported into the colonies." A revenue of more than sixty thousand pounds sterling annually was confidently promised from this source. The project of an American stamp act was pressed upon Pitt himself. "With the enemy at their backs, with English bayonets at their breast, in the day of their distress, perhaps the Americans," thought he, "would submit to the imposition." But the heroic statesman scorned "to take an unjust and ungenerous advantage" of them. He looked to the mountains of Scotland for de[illegible] of America; and two battalions, each of a thou[illegible]aders, were raised for the service.

Still [illegible]arted in his policy at every step. The [illegible]land was unwilling to take the command [illegible]out a change in the cabinet. Temple was

therefore dismissed; and, as Pitt did not resign, the king, in the first week in April, discarded him, and his chancellor of the exchequer. England was in a state of anarchy, to which the conduct of affairs in America aptly corresponded.

CHAPTER XI.

THE WHIG ARISTOCRACY CANNOT CONQUER CANADA. ANARCHY IN THE ADMINISTRATION.

1757.

THE rangers at Fort William Henry defy the winter. The forests, pathless with snows; the frozen lake; the wilderness, which has no shelter against cold and storms; the perilous ambush, where defeat may be followed by the scalping-knife, or tortures, or captivity among the farthest tribes, — all cannot chill their daring. On skates they glide over the lakes; on snow-shoes they penetrate
1757. the woods. In January, 1757, the gallant Stark, with seventy-four rangers, goes down Lake George, and turns the strong post of Carillon. A French party of ten or eleven sledges is driving merrily from Ticonderoga to Crown Point. Stark sallies forth to attack them; three are taken, with twice as many horses, and seven prisoners. But, before he can reach the water's edge, he is intercepted by a party of two hundred and fifty French and Indians. Sheltered by trees and a rising ground, he renews and sustains the unequal fight till evening. In the night, the survivors retreat; a sleigh, sent over the lake, brings home the wounded. Fourteen rangers had fallen, six were missing. Those who remained alive were applauded, and Stark received promotion.

The French are still more adventurous. A detachment of fifteen hundred men, part regulars and part Canadians, are to follow the younger Vaudreuil in a winter's expedition against Fort William Henry. They must travel sixty leagues; the snow-shoes on their feet, their provisions on sledges drawn by dogs; their couch at night, a bearskin;

thus they go over Champlain, over Lake George. On St. Patrick's night, a man in front tries the strength of the ice with an axe; the ice-spurs ring, as the party advances over the crystal highway, with scaling ladders, to surprise the English fort. But the garrison was on the watch; and the enemy could only burn the English batteaux and sloops, the storehouses, and the huts of the rangers within the pickets.

For the campaign of 1757, the northern colonies, still eager to extend the English limits, at a congress of governors in Boston, in January, agreed to raise four thousand men. The governors of North Carolina, Virginia, Maryland, and Pennsylvania, meeting at Philadelphia, settled the quotas for their governments, but only as the groundwork for compulsory measures. 1757.

Of Pennsylvania, the people had never been numbered; yet, with the counties on Delaware, were believed to be not less than two hundred thousand, of whom thirty thousand were able to bear arms. It had no militia established by law; but forts and garrisons protected the frontier, at the annual cost to the province of seventy thousand pounds currency. To the grant in the former year of sixty thousand pounds, the assembly had added a supplement, appropriating one hundred thousand more, taxing the property of the proprietaries in its fair proportion; but it would contribute nothing to a general fund. The salary of the governor was either not paid at all, or not till the close of the year. When any office was created, the names of those who were to execute it were inserted in the bill, with a clause reserving to the assembly the right of nomination in case of death. Sheriffs, coroners, and all persons connected with the treasury, were thus named by the people annually, and were responsible only to their constituents. The assembly could not be prorogued or dissolved, and adjourned itself at its own pleasure. It assumed almost all executive power, and scarce a bill came up without an attempt to encroach on the little residue. "In the Jerseys and in Pennsylvania," wrote Loudoun, thinking to influence the mind of Pitt, "the majority of the assembly is composed of

Quakers; whilst that is the case, they will always oppose every measure of government, and support that independence which is deep-rooted everywhere in this country. If some method is not found out of laying on a tax for the support of a war in America by a British act of parliament, you will continue to have no assistance from them in money, and will have very little in men, if they are wanted." It is most worthy of remark, that at this very time the people of Pennsylvania looked to parliament for relief from the selfish rule of their proprietaries; and in February, 1757. 1757, Benjamin Franklin was chosen agent "to represent in England the unhappy situation of the province, that all occasion of dispute hereafter might be removed by an act of the British legislature."

Massachusetts had already given the example of an appeal to the house of commons in favor of popular power against prerogative; and its complaint had, in 1733, been rebuked "as a high insult, tending to shake off the dependency of the colony upon the kingdom." Jamaica had just been renewing the attempt; and, while Franklin was at new York to take passage, and there was no ministry in England to restrain the tendencies of the lords of trade, the house of commons adopted the memorable resolve, that "the claim of right in a colonial assembly to raise and apply public money, by its own act alone, is derogatory to the crown and to the rights of the people of Great Britain;" and this resolve was authoritatively communicated to every American assembly. "The people of Pennsylvania," said Thomas Penn, "will soon be convinced by the house of commons, as well as by the ministers, that they have not a right to the powers of government they claim." "Your American lies," said Granville, president of the privy council, klin, soon after his arrival, "slight the king's instruc- They are drawn up by grave men, learned in the constitution of the realm; they are brought into oroughly weighed, well considered, and amended, ry, by the wisdom of that body; and, when re- the governors, they are the laws of the land; for is the legislator of the colonies." This doctrine

fell on Franklin as new, and was never effaced from his memory. In its preceding session, parliament had laid grievous restrictions on the export of provisions from the British colonies. The act produced a remonstrance from their agents. "America," answered Granville, "must not do any thing to interfere with Great Britain in the European markets." "If we plant and reap, and must not ship," retorted Franklin, "your lordship should apply to parliament for transports to bring us all back again."

In America, the summer passed as might have been expected from "detachments under commanders whom a child might outwit or terrify with a popgun." To Bouquet was assigned the watch on the frontiers of Carolina; Stanwix, with about two thousand men, had charge of the west; while Webb was left, with nearly six thousand men, to defend the avenue of Lake George; and, on the twentieth day of June, the Earl of Loudoun, having first incensed all America by a useless embargo, and having at New York, at one sweep, impressed four hundred men, weighed anchor for Halifax. Four British regiments, two battalions of royal Americans, and five companies of rangers, accompanied him. "His sailing," said the Canadians, "is a hint for us to project something on this frontier." Loudoun reached Halifax on the last day of June, and found detachments from England already there; and on the ninth of July the entire armament was assembled. 1757.

At that time, Newcastle was "reading Loudoun's letters with attention and satisfaction," and praising his "great diligence and ability." "My lord," said he, "mentions an act of parliament to be passed here; I don't well understand what he means by it." Prince George, not surmising defeat, was thoughtful for the orthodoxy of America. A class of bold inquirers, Shaftesbury, Collins, Toland, Bolingbroke, Hume, had attacked the scholastic philosophy and the dogmas of the middle ages, had insinuated a denial of the plenary inspiration of the Bible and of the credibility of miracles, and had applied the principle of skeptical analysis to supernatural religion and the institutions and interests connected with the established church.

They were free-thinkers, daring to question any thing; they were deists, accepting only the religion of nature and reason. In Europe, where radical abuses in canon law introduced anarchy and skepticism into the heart of faith, these writers assisted to hasten a revolution in the public mind; they pointed the epigrams of Voltaire, and founded a school of theology in Germany, while in England one half the cultivated class received their opinions. Fearing their influence in the New World, the young heir to the throne sent over a hundred pounds' worth of answers to deistical writers. The gift was hardly noticed; for, in America, free inquiry, which dwelt with the people, far from being of a destructive tendency, was conducting them towards firm institutions; and religious faith was not a historical tradition, encumbered with the abuses of centuries, but a living principle and an inward experience.

Loudoun found himself in Halifax at the head of an admirable army of ten thousand men, with a fleet of sixteen ships of the line, besides frigates. There he landed, levelled the uneven ground for a parade, planted a vegetable garden as a precaution against the scurvy, exercised the men in mock battles and sieges and stormings of fortresses,
1757. and, when August came, and the spirit of the army was broken, and Hay, a major-general, expressed contempt so loudly as to be arrested, the troops were embarked, as if for Louisburg. But, ere the ships sailed, the reconnoitring vessels came with news that the French at Cape Breton had one ship more than the English; and the plan of the campaign was changed. Part of the soldiers landed again at Halifax; and the Earl of Loudoun, leaving his garden to weeds and his place of arms to briers, sailed for New

He had been but two days out, when he was met by
ss, with such tidings as were to have been expected.
acefully rest the waters of Lake George between
art of highlands! In their pellucid depths, the
he hills and the trees trace their image; and the
egion speaks to the heart, teaching affection for
s yet not a hamlet rose on its margin; not a
nad thatched a log hut in its neighborhood; only

at its head, near the centre of a wider opening between its mountains, Fort William Henry stood on its bank, almost on a level with the lake. Lofty hills overhung and commanded the wild scene, but heavy artillery had not as yet accompanied war-parties into the wilderness.

Some of the Six Nations preserved their neutrality, but the Oneidas danced the war-dance with Vaudreuil. "We will try the hatchet of our father on the English, to see if it cuts well," said the Senecas of Niagara; and when Johnson complained of depredations on his cattle, "You begin crying quite early," they answered; "you will soon see other things."

"The English have built a fort on the lands of Onontio," spoke Vaudreuil, governor of New France, to a congress at Montreal of the warriors of three-and-thirty nations, who had come together, some from the rivers of Maine and Acadia, some from the wilderness of Lake Huron and Lake Superior. "I am ordered," he continued, "to destroy it. Go, witness what I shall do, that, when you return to your mats, you may recount what you have seen." They took his belt of wampum, and answered: "Father, we are come to do your will." Day after day, at Montreal, Montcalm sung the war-song with the several tribes. They rallied at Fort St. John, on the Sorel, their missionaries with them; and hymns were chanted in almost as many dialects as there were nations. On the sixth day, as they discerned the battlements of Ticonderoga, the fleet arranged itself in order; and two hundred canoes, filled with braves, each nation with its own pennons, swept over the water to the landing-place. The martial airs of France, and shouts in the many tongues of the red men, resounded among the rocks and forests and mountains. The mass, too, was solemnly said; and to the Abenaki converts, seated reverently, in decorous silence, on the ground, the priest urged the duty of honoring Christianity by their example, in the presence of so many infidel braves. 1757.

It was a season of scarcity in Canada. None had been left unmolested to plough and plant; the miserable inhabitants had no bread. But small stores were collected for

the army. They must conquer speedily or disband. "On such an expedition," said Montcalm to his officers, "a blanket and a bearskin are the warrior's couch. Do like me, with cheerful good-will. The soldier's allowance is enough for us."

During the short period of preparation, Marin brought back his two hundred men from the skirts of Fort Edward. "He did not amuse himself with making prisoners," said Montcalm, on seeing but one captive; and the red men yelled for joy as they counted in the canoes two-and-forty scalps of Englishmen.

1757. The Ottawas watched in ambuscades all the twenty-third of July, and all the following night, for the American boatmen. At daybreak of the twenty-fourth, Palmer was seen on the lake in command of two-and-twenty barges. The Indians rushed on his party suddenly, terrified them by their yells, and, after killing many, took one hundred and sixty prisoners. "To-morrow or next day," said the captives, "General Webb will be at the fort with fresh troops." "No matter," said Montcalm; "in less than twelve days I will have a good story to tell about them." The timid Webb went, it is true, to Fort William Henry, but took care to leave it with a large escort, just in season to escape from its siege.

It is the custom of the red man, after success, to avoid the further chances of war and hurry home. "To remain now," said the Ottawas, "would be to tempt the Master of life." But Montcalm, after the boats and canoes had, without oxen or horses, by main strength, been borne up to Lake George, held on the plain above the portage one general council of union. Tribes from the banks of Michigan [illegible] perior to the borders of Acadia were present, seated [illegible]ound according to their rank; and, in the name [illegible]V., Montcalm produced the mighty belt of six [illegible]hells, which, being solemnly accepted, bound all [illegible]est ties to remain together till the end of the [illegible] The belt was given to the Iroquois, as the [illegible]rous; but they courteously transferred it to [illegible]ations, who came, though strangers, to their aid.

In the scarcity of boats, the Iroquois agreed to guide De Levi, with twenty-five hundred men, by land, through the rugged country which they called their own.

The Christian savages employed their short leisure at the confessional; the tribes from above, restlessly weary, dreamed dreams, consulted the great medicine men, and, hanging up the complete equipment of a war- 1757. chief as an offering to their Manitou, embarked on the last day of July.

The next day, two hours after noon, Montcalm followed with the main body of the army, in two hundred and fifty boats. The Indians, whom he overtook, preceded him in their decorated canoes. Rain fell in torrents; yet they rowed nearly all the night, till they came in sight of the three triangular fires that, from a mountain ridge, pointed to the encampment of De Levi. There, in Ganousky, or, as some call it, North-west Bay, they held a council of war; and then, with the artillery, they moved slowly to a bay, of which the point could not be turned without exposure to the enemy. An hour before midnight, a couple of English boats were descried on the lake, when some of the upper Indians paddled two canoes to attack them, and with such celerity that one of the boats was seized and overpowered. Two prisoners being reserved, the rest were massacred. The Indians lost one warrior, a great chieftain of the nation of the Nipisings.

On the morning of the second day of August, the savages dashed openly upon the water, and, forming across the lake a chain of their bark canoes, they made the bay resound with their war-cry. The English were taken almost by surprise. Their tents still covered the plains. Montcalm disembarked without interruption, about a mile and a half below the fort, and advanced in three columns. The Indians hurried to burn the barracks of the English, to chase their cattle and horses, to scalp their stragglers. During the day they occupied, with Canadians under La Corne, the road leading to the Hudson, and cut off the communication. At the north was the encampment of De Levi, with regulars and Canadians; while Montcalm, with

the main body of the army, occupied the skirt of the wood, on the west side of the lake. His force consisted of six thousand French and Canadians, and about seventeen hundred Indians. Fort William Henry was defended by the brave Lieutenant-colonel Monro, with less than five hundred men; while seventeen hundred men lay intrenched on the eminence to the south-east, now marked by the ruins of Fort George.

Meantime, the braves of the Nipisings, faithful to the rites of their fathers, celebrated the funeral of their departed warrior. The lifeless frame, dressed as became a war-chief, glittered with belts, and ear-rings, and brilliant vermilion; a ribbon, fiery red, supported a gorget on his breast; the tomahawk was in his girdle, the pipe at his lips, the lance in his hand, at his side the well-filled bowl; and thus he sat upright on the green turf. The speech for the dead was pronounced; the dances and chants followed; human voices mingled with the sound of drums and tinkling bells. Thus seated and arrayed, he was consigned to the grave.

1757. On the fourth of August, the French summoned Monro to surrender; but he sent an answer of defiance. Montcalm hastened his works; the troops dragged the artillery over rocks and through the forests, and with alacrity brought fascines and gabions. Soon the first battery, of nine cannon and two mortars, was finished; and, amidst the loud screams of the savages, it began to play, with a thousand echoes from the mountains. In two days more, a second was established, and, by means of the zigzags, the Indians could stand within gun-shot of the fortress. Just then arrived letters from France, conferring on Montcalm the red ribbon, with rank as knight commander of the order of St. Louis. "We are glad," said the red men, "of the favor done you by the great Onontio; but we neither love you nor esteem you the more for it; we love the man, and not what hangs on his outside." Webb, at Fort Edward, had an army of four thousand, and might have summoned the militia from all the near villages to the rescue. He sent nothing but a letter, with an exaggerated account of

the French force, and advice to capitulate. Montcalm intercepted the letter, and immediately forwarded it to Monro. Yet not till the eve of the festival of St. Lawrence, when half his guns were burst and his ammunition was almost exhausted, did the dauntless veteran hang out a flag of truce. 1757.

To make the capitulation inviolably binding on the Indians, Montcalm summoned their war-chiefs to council. The English were to depart under an escort with the honors of war, on a pledge not to serve against the French for eighteen months; they were to abandon all but their private effects; every Canadian or French Indian captive was to be liberated. The Indians applauded; the capitulation was signed. Late on the ninth, the French entered the fort, and the English retired to their intrenched camp.

Montcalm had kept from the savages all intoxicating drinks; but they obtained them of the English, and all night long were wild with dances and songs and revelry. The Abenakis of Acadia inflamed other tribes, by recalling the sorrows they had suffered from English perfidy and power. At daybreak, they gathered round the intrenchments, and, as the terrified English soldiers filed off, began to plunder them, and incited one another to use the tomahawk. Twenty, perhaps even thirty, persons were massacred, while very many were made prisoners. Officers and soldiers, stripped of every thing, fled to the woods, to the fort, to the tents of the French. To arrest the disorder, De Levi plunged into the tumult, daring death a thousand times. French officers received wounds in rescuing the captives, and stood at their tents as sentries over those they had recovered. "Kill me," cried Montcalm, using prayers and menaces and promises; "but spare the English, who are under my protection;" and he urged the troops to defend themselves. The march to Fort Edward was a flight; not more than six hundred reached there in a body. From the French camp, Montcalm collected together more than four hundred, who were dismissed with a great escort; and he sent De Vaudreuil to ransom those whom the Indians had carried away.

After the surrender of Fort William Henry, the savages retired. Twelve hundred men were employed to demolish the fort, and nearly a thousand to lade the vast stores that had been given up. As Montcalm withdrew, he
1757. praised his happy fortune, that his victory was, on his own side, almost bloodless, his loss in killed and wounded being but fifty-three. The Canadian peasants returned to gather their harvests, and the lake resumed its solitude. Nothing told that civilized man had reposed upon its margin, but the charred rafters of ruins; and here and there, on the side-hill, a crucifix among the pines to mark a grave.

Pusillanimity pervaded the English camp. Webb at Fort Edward, with six thousand men, was expecting to be attacked every minute. He sent off his own baggage, and wished to retreat to the highlands on the Hudson. "For God's sake," wrote the officer in command at Albany, to the governor of Massachusetts, "exert yourselves to save a province; New York itself may fall; save a country; prevent the downfall of the British government." Pownall ordered the inhabitants west of Connecticut River to destroy their wheel-carriages and drive in their cattle. Loudoun proposed to encamp on Long Island, for the defence of the continent. Every day it was rumored: "My Lord Loudoun goes soon to Albany;" and still each day found him at New York. "We have a great number of troops," said even royalists; "but the inhabitants on the frontier will not be one jot the safer for them."

The English had been driven from the basin of the Ohio; Montcalm had destroyed every vestige of their power within that of the St. Lawrence; and the claim of France to the valleys of the Mississippi and the St. Lawrence seemed established by possession. France had her posts on each side of the lakes, and at Detroit, at Mackinaw, at Kaskaskia, and at New Orleans. Of the North American continent, the French [illegible] seemed to possess, twenty parts in twenty-[illegible] four only to Spain, and but one to [illegible], Russia had been evoked to be the arbi- [illegible]Minorca was lost; for Hanover, Cumber-

land had acceded to a shameful treaty of neutrality. Thus did the government of the English aristocracy paralyze the immense energies of the British empire.

And yet sentence had been passed upon feudal monarchy, whose day of judgment the enthusiast Swedenborg had foretold. The English aristocracy, being defeated, summoned to their aid not, indeed, the power of the people, but at least the favor of the people. The first English minister named by parliamentary influence was Shaftesbury; the first named by popular influence was the elder William Pitt. A private man, in middle life, with no fortune, with no party, with no strong family connections, having few votes under his sway in the house of commons, and perhaps not one in the house of lords; a feeble valetudinarian, shunning pleasure and society, haughty and retired, and half his time disabled by the agonies of hereditary gout, — was now the hope of the English world. Assuming power, he roused the states of Protestantism to wage a war for mastery against the despotic monarchy and the institutions of the middle ages, and to secure to humanity its futurity of freedom. Protestantism is not humanity; its name implies a party struggling to throw off burdens of the past, and ceasing to be a renovating principle when its protest shall have succeeded. It was now for the last time, as a political element, summoned to appear upon the theatre of the nations, to control their alliances, and to perfect its triumph by leaving no occasion for its reappearance in arms. Its final victorious struggle was the forerunner of a new civilization; its last war was first in the series of the wars of revolution that founded for the world of mankind the power of the people.

CHAPTER XII.

THE NEW PROTESTANT POWERS AGAINST THE CATHOLIC POWERS OF THE MIDDLE AGE. WILLIAM PITT'S MINISTRY.

1757.

"THE orator is vastly well provided for," thought Bedford, in 1746, on the appointment of William Pitt to a subordinate office of no political influence. "I assure your grace of my warmest gratitude," wrote Pitt himself, in 1750, to Newcastle, who falsely pretended to have spoken favorably of him to the king; and now, in defiance of Bedford and Newcastle, and the antipathy of the king, he is become the foremost man in England, received into the ministry as its "guide," because he alone was the choice of the people, and by his greatness of soul and commanding eloquence could restore the state.

1757. On his dismissal in April, no man had the hardihood to accept his place. A storm of indignation burst from the nation. To Pitt, and to Legge who had also opposed the Russian treaty, London, with many other cities, voted its freedom; unexampled discontent pervaded the country. Newcastle, whose pusillanimity exceeded his vanity, dared not attempt forming a ministry; and, by declining to do so, renewed his confession that the government of Great Britain could no longer be administered by a party which had for its principle to fight up alike against the king and against the people. The inebriate Granville would have infused his jovial intrepidity into the junto of Fox; but Fox was desponding. Bedford had his scheme, which he employed Rigby to establish; and, when it proved impracticable, indulged himself in anger, and withdrew to Woburn Abbey. In the midst of war, the country was left to an-

archy. "We are undone," said Chesterfield: "at home, by our increasing expenses; abroad, by ill-luck and incapacity." The elector of Hesse-Cassel, the Duke of Brunswick, destitute of the common honesty of hirelings, invited bids from the enemies of their lavish employer; the king of Prussia, Britain's only ally, seemed overwhelmed, Hanover reduced, and the French were masters in America. So dark an hour England had not known during the century.

But the mind of Pitt always inclined to hope. "I am sure," said he to the Duke of Devonshire, "I can save this country, and nobody else can." For eleven 1757. weeks England was without a ministry, so long was the agony, so desperate the resistance, so reluctant the surrender. At last, the king and the aristocracy were compelled to accept the man whom the nation trusted and loved. Made wise by experience, and relying on his own vigor of will for a controlling influence, he formed a ministry from many factions. Again Lord Anson, Hardwicke's son-in-law, took the highest seat at the board of the admiralty. Fox, who had children, and had wasted his fortune, accepted the place of paymaster, which the war made enormously lucrative. Newcastle had promised Halifax a new office as third secretary of state for the colonies. "I did not speak about it," was the duke's apology to him; "Pitt looked so much out of humor, I dared not." The disappointed man railed without measure at the knavery and cowardice of Newcastle; but Pitt reconciled him by leaving him his old post in the board of trade, with all its patronage, adding the dignity of a cabinet councillor. Henley, afterwards Lord Northington, became lord chancellor, opening the way for Sir Charles Pratt to be made attorney-general; and George Grenville, though with rankling hatred of his brother-in-law for not bestowing on him the still more lucrative place of paymaster, took the treasuryship of the navy. The illustrious statesman himself, the ablest his country had seen since Cromwell, being resolved on making England the greatest nation in the world, and himself its greatest minister, took the seals of the southern department, with the conduct of the war in all parts of the globe; leaving to

Newcastle the first seat at the treasury board, with the disposition of bishoprics, petty offices, and contracts, and the management of "all the classes of venality." At that day, the good-will of the people was, in England, the most uncertain tenure of office; for they had no strength in parliament; their favorite held power at the sufferance of the aristocracy. "I borrow," said Pitt, "the Duke of Newcastle's majority to carry on the public business."

The new ministry kissed hands early in July, 1757.
1757. "Sire," said the secretary, "give me your confidence, and I will deserve it." "Deserve my confidence," replied the king, "and you shall have it;" and kept his word. All England applauded the great commoner's elevation. John Wilkes, then just elected member of parliament, promised "steady support to the ablest minister, as well as the first character, of the age." Bearing a message from Leicester house, "Thank God," wrote Bute, "I see you in office. If even the wreck of this crown can be preserved to our amiable young prince, it is to your abilities he must owe it."

But Pitt knew himself called to the ministry neither by the king, nor by the parliament of the aristocracy, nor by Leicester house, but "by the voice of the people;" and the affairs of the empire were now directed by a man who had demanded for his countrymen an uncorrupted representation, a prevailing influence in designating ministers, and "a supreme service" from the king. Assuming power, he bent all factions to his authoritative will, and made "a venal age unanimous." The energy of his mind was the spring of his eloquence. His presence was inspiration; he himself was greater than his speeches. Others have uttered thoughts and passion, of patriotism and courage: none by mplished deeds like him. His voice resounded he world, impelling the servants of the British vements of glory on the St. Lawrence and nges. Animated by his genius, a corpora- did what Rome had not dreamed of; and hant's clerk achieved conquests as rapidly as ke journeys, resting his foot in permanent

triumph where Alexander of Macedon had faltered. Ruling with unbounded authority the millions of free minds whose native tongue was his own, with but one considerable ally on the European continent, with no resources in America but from the good-will of the colonies, he led forth the England which had planted popular freedom along the western shore of the Atlantic, the England which was still the model of liberty, to encounter the despotisms of Catholic Europe, and defend "the common cause" against what he called "the most powerful and malignant confederacy that ever threatened the independence of mankind." 1757.

The contest raged in both hemispheres. The American question was: Shall the continued colonization of North America be made under the auspices of English Protestantism and popular liberty, or of the legitimacy of France, in its connection with Roman Catholic Christianity? The question of the European continent was: Shall a Protestant revolutionary kingdom, like Prussia, be permitted to grow strong within its heart? Considered in its unity, as interesting mankind, the question was: Shall the Reformation, developed to the fulness of free inquiry, succeed in its protest against the middle age?

The war that closed in 1748 had been a mere scramble for advantages, and was sterile of results; the present conflict, which was to prove a seven years' war, was an encounter of reform against the unreformed; and all the predilections or personal antipathies of sovereigns and ministers could not prevent the alliances, collisions, and results necessary to make it so. George II., who was also sovereign of Hanover, in September, 1755, contracted with Russia for the defence of that electorate; but Russia, which was neither Catholic nor Protestant, tolerant in religion, though favoring absolutism in government, passed alternately from one camp to the other. England, the most liberal Protestant kingdom, had cherished intimate relations with Austria, the most legitimate Catholic power; and, to strengthen the connection, had scattered bribes, with open hands, to Mayence, Cologne, Bavaria, the count palatine, to elect Joseph II. king of the Romans. Yet Austria was separating itself

from its old ally, and forming a confederacy of the Catholic powers; while George II. was driven to lean on his nephew Frederic, whom he disliked.

A deep, but perhaps unconscious, conviction of approaching decrepitude bound together the legitimate Catholic sovereigns. In all Europe, there was a striving after reform. Men were grown weary of the superstitions of the middle age; of idlers and beggars, sheltering themselves in sanctuaries; of hopes of present improvement suppressed by the terrors of hell and purgatory; the countless monks and priests, whose vows of celibacy tempted to licentiousness. The lovers and upholders of the past desired a union among the governments that rested upon mediæval traditions. For years had it been whispered that the house of Austria should unite itself firmly with the house of Bourbon; and now the Empress Maria Theresa, herself a hereditary queen, a wife and a mother, religious even to bigotry, courted by a gift the Marchioness de Pompadour, once the French king's mistress, now his procuress, who, under the guidance of Jesuits, gladly took up the office of mediating the alliance. Kaunitz, the minister, who concealed political sagacity and an inflexible will under the semblance of luxurious ease, won favor as Austria's ambassador at the court of Versailles by his affectations and his prodigal expense. And in May, 1756, that is, in the two hundred and eightieth year of the jealous strife between the houses of Hapsburg and of Capet, France and Austria put aside their ancient rivalry, and, as exclusive Catholics, joined to support the Europe of the middle age, with its legitimate despotisms, its aristocracies, and its church, to the ruin of the kingdom of Prussia and the dismemberment of Germany. 1757.

Among the rulers of the European continent, Frederic, with but four millions of subjects, stood forth alone, "the unshaken bulwark of Protestantism and freedom of thought." His kingdom itself was the offspring of the Reformation, in its origin revolutionary and Protestant. His father — whose palace life was conducted with the economy and simplicity of the German middle class; at whose evening entertainments, a wooden chair, a pipe, and a mug of beer were

placed for each of the guests that assembled to discuss politics with their prince; harsh as a parent, severe as a master, despotic as a sovereign — received with painfully scrupulous piety every article of the reformed creed. His son, who inherited an accumulated treasure and the best army in Europe, publicly declared his opinion that, "politically considered, Protestantism was the most desirable religion;" that "his royal electoral house, without one example of apostasy, had professed it for centuries." As the contest advanced, Clement XIII. commemorated an Austrian victory over Prussia by the present of a consecrated cap and sword; while, in the weekly concerts for prayer in New England, petitions went up for the Prussian hero "who had drawn his sword in the cause of religious liberty, of the Protestant interest, and the liberties of Europe." "His victories," said Mayhew, of Boston, "are our own."

The Reformation was an expression of the right of the human intellect to freedom. The same principle was active in France, where philosophy panted for liberty; where Massillon had hinted that kings are chosen for the welfare of the people, and Voltaire had marshalled the men of letters against priestcraft. Monarchy itself was losing its sanctity. The Bourbons had risen to the throne through the frank and generous Henry IV., who, in the sports of childhood, played barefoot and bareheaded with the peasant boys on the mountains of Béarn. The cradle of Louis XV. was rocked in the pestilent atmosphere of the regency; his tutor, when from the palace-windows he pointed out the multitudes, had said to the royal child: "Sire, this people is yours;" and, as he grew old in profligate sensuality, he joined the mechanism of superstition with the maxims of absolutism, mitigating his dread of hell by the belief that Heaven is indulgent to the licentiousness of kings who maintain the church by the sword. In France, therefore, there was no alliance between the government and liberal opinion; and that opinion migrated from Versailles to the court of Prussia. The renovating intelligence of France declared against Louis XV. and his system; and, awaiting a better summons for its perfect sympathy, saw in Frederic

the present hero of light and reason. Thus the subtle and pervading influence of the inquisitive mind of France was arrayed with England, Prussia, and America, that is, with Protestantism, philosophic freedom, and the nascent democracy, in their struggle with the conspiracy of European prejudice and legitimacy, of priestcraft and despotism.

The centre of that conspiracy was the empress of Austria with the apostate elector of Saxony, who was king of Poland. Aware of the forming combination, Frederic resolved to attack his enemies before they were prepared; and in August, 1756, he invaded Saxony, took Dresden, blockaded the elector's army at Pirna, gained a victory over the imperial forces that were advancing for its relief, and closed the campaign in the middle of October, by compelling it to capitulate. In the following winter, the alliances against him were completed; and not Saxony only, and Austria, with Hungary, but the German empire, half the German states; Russia, not from motives of public policy, but from a woman's caprice; Sweden, subservient to the Catholic powers through the degrading ascendency of its nobility; France, as the ally of Austria, — more than half the continent, — took up arms against Frederic, who had no allies in the south or east or north, and in the west none but Hanover, with Hesse-Cassel and Brunswick. And, as for Spain, not even the offer from Pitt of the conditional restitution of Gibraltar, and the evacuation of all English establishments on the Mosquito Shore and in the Bay of Honduras, nor any consideration whatever, could move the Catholic monarch "to draw the sword in favor of heretics."

As spring opened, Frederic hastened to meet the Austrian army in Bohemia. They retired, under the command of Charles of Lorraine, abandoning well-stored magazines; and in May, 1757, for the preservation of Prague, risked a battle under its walls. After terrible ıage, the victory remained with Frederic, who at once ned the most colossal design that ever entered the mind of ldier: to execute against Austria a series of measures those against Saxony at Pirna, to besiege Prague and ɔel the army of Charles of Lorraine to surrender. But

the cautious Daun, a man of high birth, esteemed by the empress queen and beloved by the Catholic Church, pressed slowly forward to raise the siege. Leaving a part of his army before Prague, Frederic went forth with the rest to attack the Austrian commander; and, on the eighteenth of June, attempted to storm his intrenchments on the heights of Colin. His brave battalions were repelled with disastrous loss, and left him almost unattended. "Will you carry the battery alone?" demanded one of his lieutenants; on which the hero rode calmly towards the left wing and ordered a retreat. 1757. June.

The refined but feeble August William, prince of Prussia, had remained at Prague. "All men are children of one father:" thus Frederic had once reproved his pride of birth; "all are members of one family, and, for all your pride, are of equal birth and of the same blood. Would you stand above them? Then excel them in humanity, gentleness, and virtue." At heart opposed to the cause of mankind, the prince had, from the first, urged his brother to avoid the war; and at this time, when drops of bitterness were falling thickly into the hero's cup, he broke out into pusillanimous complaints, advising a shameful peace by concession to Austria. But Frederic's power was now first to appear: as victory fell away from him, he stood alone before his fellow-men, in unconquerable greatness.

Raising the siege of Prague, he conducted the retreat of one division of his army into Saxony, without loss; the other the prince of Prussia led, in a manner contrary to the rules of war and to common sense, and more disastrous than the loss of a pitched battle. Frederic censured the dereliction harshly; in that day of disaster, he would not tolerate a failure of duty, even in the heir to the throne.

The increasing dangers became terrible. "I am resolved," wrote Frederic, in July, "to save my country or perish." Colin became the war-cry of French and Russians, of Swedes and imperialists; Russians invaded his dominions on the east; Swedes from the north threatened Pomerania and Berlin; a vast army of the French was concentrating itself at Erfurt for the recovery of Saxony; July.

while Austria, recruited by Bavaria and Würtemberg, was conquering Silesia. "The Prussians will win no more victories," wrote the queen of Poland. Death at this moment took from Frederic his mother, whom he loved most tenderly. A few friends remained faithful to him, cheering him by their correspondence. "Oh that Heaven had heaped all ills on me alone!" said his affectionate sister; "I would have borne them with firmness." To the king of England he confessed his difficulties, and that he had nearly all Europe in arms against him. "I can furnish you no help," answered George II., and sought neutrality for Hanover.

1757. Aug. In August, having vainly attempted to engage the enemy in Silesia in a pitched battle, Frederic repaired to the west, to encounter the united army of the imperialists and French. "I can leave you no large garrison," was his message to Fink at Dresden; "but be of good cheer; to keep the city will do you vast honor." On his way, Sept. he learns that the Austrians have won a victory over Winterfeld and Bevern, his generals in Silesia; that Winterfeld had fallen; that Bevern had retreated to the lake near Breslau, and was opposed by the Austrians at Lissa. On the eighth of September, the day after the great disaster in Silesia, the Duke of Cumberland, having been defeated and compelled to retire, signed for his army and for Hanover a convention of neutrality. Voltaire advised Frederic to imitate Cumberland. "If every string breaks," wrote Frederic to Ferdinand of Brunswick, "throw yourself into Magdeburg. Situated as we are, we must persuade ourselves that one of us is worth four others." Morning dawned on new miseries; night came without a respite to his cares. He spoke serenely of the path to eternal rest, and his own resolve to live and die free. "O my beloved people," he exclaimed, "my wishes live but for you; to you belongs every [illegible] of my blood, and from my heart I would gladly give [illegible] my country." And, reproving the [illegible] spirit of Voltaire, "I am a man," he [illegible], in the moment of intensest danger; [illegible], to suffer; to the rigor of destiny I

oppose my own constancy; menaced with shipwreck, I will breast the tempest, and think and live and die as a sovereign." In a week, Berlin was in the hands of his enemies.

When, on the fourth of November, after various changes of position, the king of Prussia, with but twenty-one thousand six hundred men, resumed his encampment on the heights of Rossbach, the Prince de Rohan Soubise, who commanded the French and imperial army of more than sixty-four thousand, was sure of compelling him to surrender. On the morning of the fifth, the combined forces marched in flank to cut off his retreat. From the battlements of the old castle of Rossbach, Frederic gazed on their movement; at a glance, penetrated their design; and, obeying the flush of his exulting mind, he on the instant made his dispositions for an attack. "Forward!" he cried, at half-past two; at three, not a Prussian remained in the village. He seemed to retreat towards Merseburg; but, concealed by the high land of Reichertswerben, the chivalrous Seidlitz, with the Prussian cavalry, having turned the right of the enemy, planted his cannon on an eminence. Through the low ground beneath him, they were marching in columns, in eager haste, their cavalry in front and at a distance from their infantry. A moment's delay, an inch of ground gained, and they would have come into line. But Seidlitz and his cavalry on their right, eight battalions of infantry on their left, with orders precise and exactly executed, bore down impetuously on the cumbrous columns, and routed them before they could form, and even before the larger part of the Prussian infantry could fire a shot. That victory at Rossbach gave to Prussia the consciousness of being a nation. 1757. Nov.

To his minister Frederic sent word of this beginning of success; but far "more was necessary." He had but obtained freedom to seek new dangers; and, hastening to relieve Schweidnitz, he wrote to a friend: "This, for me, has been a year of horror; to save the state, I dare the impossible." But already Schweidnitz had surrendered. On the twenty-second of November, Prince Bevern was surprised and taken prisoner, with a loss of eight thousand

men. His successor in the command retreated to Glogau. On the twenty-fourth, Breslau was basely given up, and nearly all its garrison entered the Austrian service. Silesia seemed restored to Maria Theresa. "Does hope expire," said Frederic, "the strong man must stand distinguished."

1757. Dec. Not till the second day of December did the drooping army from Glogau join the king. Every power was exerted to revive their confidence. By degrees, they catch something of his cheerful resoluteness; they share the spirit and the daring of the victors of Rossbach; they burn to efface their own ignominy. Yet the Austrian army of sixty thousand men, under Charles of Lorraine and Marshal Daun, veteran troops and more than double in number to the Prussians, were advancing, as if to crush them and end the war. "The Marquis of Brandenburg," said Voltaire, "will lose his hereditary states, as well as those which he has won by conquest."

Assembling his principal officers beneath a beech-tree, between Neumarkt and Leuthen, Frederic addressed them with a gush of eloquence: "While I was restraining the French and imperialists, Charles of Lorraine has succeeded in conquering Schweidnitz, repulsing Prince Bevern, mastering Breslau. A part of Silesia, my capital, my stores of war, are lost; my disasters would be extreme, had I not a boundless trust in your courage, firmness, and love of country. There is not one of you but has distinguished himself by some great and honorable deed. The moment for courage has come. Listen then: I am resolved, against all rules of the art of war, to attack the nearly threefold stronger army of Charles of Lorraine, wherever I may find it. There is no question of the number of the enemy, nor of the strength of their position; we must beat them, or all of us find our graves before their batteries. Thus I think, thus I mean to act; announce my decision to all the officers of my army; prepare the privates for the scenes which are at hand; let them know I [illegible] unqualified obedience. They are Prussians; [illegible] show themselves unworthy of the [illegible] Does [illegible] you fear to share all dangers with [illegible]ire; I never will reproach him."

Then, as the enthusiasm kindled around him, he continued, with a serene smile: "I know that not one of you will leave me. I rely on your true aid, and am assured of victory. If I fall, the country must reward you. Go, tell your regiments what you have heard from me." And he added: "The regiment of cavalry which shall not instantly, at the order, charge, shall be dismounted and sent into garrisons; the battalion of infantry that shall but falter shall lose its colors and its swords. Now farewell, friends; soon we shall have vanquished, or we shall see each other no more."

On the morning of December fifth, at half-past four, the army was in motion, the king in front, the troops to warlike strains singing, — 1757.

Grant, Lord, that we may do with might
That which our hands shall find to do!

"With men like these," said Frederic, "God will give me the victory."

The Austrians were animated by no common kindling impulse. The Prussians, on that day, moved as one being, endowed with intelligence, and swayed by one will. Never had daring so combined with prudence, as in the arrangements of Frederic. His eye seized every advantage of place, and his manœuvres were inspired by the state of his force and the character of the ground. The hills and the valleys, the copses and the fallow land, the mists of morning and the clear light of noon, came to meet his dispositions, so that nature seemed instinct with the resolve to conspire with his genius. Never had orders been so executed as his on that day; and never did military genius, in its necessity, so summon invention to its rescue from despair. His line was formed to make an acute angle with that of the Austrians; as he moved forwards, his left wing was kept disengaged; his right came in contact with the enemy's left, outwinged it, and attacked it in front and flank; the bodies which Lorraine sent to its support were defeated successively, before they could form, and were rolled back in confused masses. Lorraine was compelled to change his front for the defence of Leuthen; the victorious Prussian army advanced to continue the attack, now employing its

left wing also. Leuthen was carried by storm, and the A
trians were driven to retreat, losing more than six thousa
in killed and wounded, more than twenty-one thousand
prisoners. The battle, which began at half-past o
1757. was finished at five. It was the master-piece
motion and decision, of moral firmness and warl
genius; the greatest military deed, thus far, of the centu
That victory confirmed existence to the country where K
and Lessing were carrying free inquiry to the sources
human knowledge. The soldiers knew how the rescue
their nation hung on that battle; and, as a grenadier on
field of carnage began to sing, "Thanks be to God,"
whole army, in the darkness of evening, standing ami
thousands of the dead, uplifted the hymn of praise.

Daun fled into Bohemia, leaving in Breslau a garrison
twenty thousand men. Frederic astonished Europe by ga
ing possession of that city, reducing Schweidnitz, and
covering all Silesia. The Russian army, which, un
Apraxin, had won a victory on the north-east, was arrest
in its movements by intrigues at home. Prussia was sav
In this terrible campaign, two hundred and sixty thousa
men stood against seven hundred thousand, and had
been conquered.

CHAPTER XIII.

CONQUEST OF THE VALLEY OF THE WEST. WILLIAM PITT'S MINISTRY CONTINUED.

1757–1758.

The Protestant nations compared Frederic to Gustavus Adolphus, as the defender of the Reformation and of freedom. With a vigor of hope like his own, Pitt, who always supported the Prussian king with fidelity and zeal, and eight days before the battle of Rossbach had authorized him to place Ferdinand of Brunswick at the head of the English army on the continent, planned the conquest of the colonies of France. Consulted through the under-secretaries, Franklin gave advice on the conduct of the American war, criticised the measures proposed by others, and enforced the conquest of Canada. 1757.

In the house of commons, Lord George Sackville made the apology of Loudoun. "Nothing is done, nothing attempted," said Pitt, with vehement asperity. "We have lost all the waters; we have not a boat on the lakes. Every door is open to France." Loudoun was recalled, and added one more to the military officers who advised the magisterial exercise of British authority, and voted in parliament to sustain it by fire and sword.

Rejecting the coercive policy of his predecessors, Pitt invited the New England colonies and New York and New Jersey, each without limit, to raise as many men as possible, believing them "well able to furnish at least twenty thousand," for the expedition against Montreal and Quebec; while Pennsylvania and the southern colonies were to aid in conquering the west. He assumed that England should provide arms, ammunition, and tents; he "expected and

required" nothing of the colonists but "the levying, clothing, and pay of the men;" and for these expenses he promised that the king should "strongly recommend to parliament to grant a proper compensation." Moreover, in December, 1757, he obtained the king's order that every provincial officer of no higher rank than colonel should have equal command with the British, according to the date of their respective commissions.

1757.

Pitt was a friend to liberty everywhere, and sought new guarantees for freedom in England. During the height of his power, a bill was carried through the house of commons, extending the provisions for awarding the writ of habeas corpus to all cases of commitment; and, when the law lords obtained its rejection by the peers, he was but the more confirmed in his maxim, that "the lawyers are not to be regarded in questions of liberty."

His genius and his respect for the rights of the colonies, the prospect of conquering Canada and the west, and unbounded anticipations of future greatness, roused their utmost activity. In some of them, especially in New England, their contributions exceeded a just estimate of their ability. The thrifty people of Massachusetts disliked a funded debt, and avoided it by taxation. In addition to the sums expected from England, their tax in one year of the war was, on personal estate, thirteen shillings and fourpence on the pound of income, and on two hundred pounds income from real estate was seventy-two pounds, besides various excises and a poll-tax of nineteen shillings on every male over sixteen. Once, in 1759, a colonial stamp-tax was imposed by their legislature. Connecticut cheerfully bore as heavy burdens.

The unhappy Canadians, who had not enjoyed repose enough to cultivate their lands, were cut off from regular intercourse with France by the maritime superiority of England. "I shudder," said Montcalm, in February, 1758, "when I think of provisions. The famine is very great." "For all our success," thus he appealed to the minister, "New France needs peace, or sooner or later it must fall; such are the numbers of the English, such the difficulty of

our receiving supplies." The Canadian war-parties were on the alert; in March, a body of Iroquois and other Indians waylaid a detachment of about two hundred rangers in the forests near Fort Carillon, as the French called Ticonderoga, and brought back one hundred and forty-six scalps, with three prisoners. But what availed such small successes? In the general dearth, the soldiers could receive but a half pound of bread daily; the inhabitants of Quebec, but two ounces daily. The whole country was almost bare of vegetables, poultry, sheep, and cattle. In the want of bread and beef and other necessaries, twelve or fifteen hundred horses were distributed for food. Artisans and day-laborers became too weak for toil. 1758.

On the recall of Loudoun, Henry Seymour Conway desired to be employed in America, but was refused by the king. Lord George Sackville was invited to take the command, but declined. Three several expeditions were set in motion. Jeffrey Amherst, with James Wolfe, was to join the fleet under Boscawen, for the siege of Louisburg; the conquest of the Ohio valley was intrusted to Forbes; and, against Ticonderoga and Crown Point, Abercrombie, a friend of Bute, was commander in chief, though Pitt selected the young Lord Howe to be the soul of the enterprise.

None of the officers gained favor like Lord Howe and Wolfe. To high rank and great connections the former added a capacity to discern merit, judgment to employ it, and readiness to adapt himself to the hardships of forest warfare. Wolfe, then thirty-one years old, had been eighteen years in the army; was at Dettingen and Fontenoy, and won laurels at Laffeldt. Merit made him at two-and-twenty a lieutenant-colonel. He was at once authoritative and humane; severe, yet indefatigably kind; modest, but ambitious and conscious of ability. The brave soldier dutifully loved and obeyed his widowed mother; and he aspired to happiness in domestic life, even while he kindled at the prospect of glory, as "gunpowder at fire."

On the twenty-eighth day of May, Amherst, after a most unusually long passage, reached Halifax. The fleet had

twenty-two ships of the line and fifteen frigates; the army, at least ten thousand effective men. Isaac Barré, who had lingered a subaltern eleven years till Wolfe rescued him from hopeless obscurity, served in the expedition as a major of brigade.

For six days after the British forces, on their way from Halifax to Louisburg, had entered Chapeau Rouge Bay, the surf, under a high wind, made the rugged shore inaccessible, and gave the French time to strengthen and extend their lines. The sea still dashed heavily when, before day-
1758. break, on the eighth of June, the troops, under cover of a random fire from the frigates, attempted disembarking. Wolfe, the third brigadier, who led the first division, would not allow a gun to be fired, cheered the rowers, and, on coming to shoal water, jumped into the sea; and, in spite of the surf which broke several boats and upset more, in spite of the well-directed fire of the French, in spite of their breastwork and rampart of felled trees whose interwoven branches made a wall of green, the English reached the land, took the batteries, drove in the French, and on the same day invested Louisburg. At that landing, none was more gallant than Richard Montgomery, just one-and-twenty, Irish by birth, an officer in Wolfe's brigade. His commander honored him with well-deserved praise and promotion to a lieutenancy.

On the morning of the twelfth, an hour before dawn, Wolfe, with light infantry and Highlanders, took by surprise the light-house battery on the north-east side of the entrance to the harbor; the smaller works were successively carried. On the twenty-third, the English battery began to play on that of the French, on the island near the centre of the mouth of the harbor. Science, sufficient force, union among the officers, heroism pervading mariners and soldiers, carried forward the siege, during which Barré by his conduct secured the approbation of Amherst and the friendship of Wolfe. Of the French ships in the port, three were burned on the twenty-first of July; in the night following the twenty-fifth, the boats of the squadron, with small loss, set fire to the "Prudent," a seventy-four, and carried off the

"Bienfaisant." Boscawen was prepared to send six English ships into the harbor. But the town of Louisburg was already a heap of ruins; for eight days, the French officers and men had had no safe place for rest; of their fifty-two cannon, forty were disabled. They had now but five ships of the line and four frigates. It was time for the Chevalier de Drucour to capitulate. The garrison became prisoners of war; and, with the sailors and marines, in all five thousand six hundred and thirty-seven, were sent to England. On the twenty-seventh of July, the English took possession of Louisburg, and, as a consequence, of Cape Breton and Prince Edward's Island. Thus fell the power of France on our eastern coast. Halifax being the English naval station, Louisburg was deserted. The harbor still offers shelter from storms; but only a few hovels mark the spot which so much treasure was lavished to fortify, so much effort to conquer. Wolfe, whose heart was in England, bore home the love and esteem of the army. The trophies were deposited with pomp in the cathedral of St. Paul's; the churches gave thanks; Boscawen, himself a member of parliament, was honored by a unanimous tribute from the house of commons. New England, too, triumphed; for the praises awarded to Amherst and Wolfe recalled the deeds of her own sons. 1758.

On the surrender of Louisburg, the season was too far advanced to attempt Quebec. Besides, a sudden message drew Amherst to Lake George.

The summons of Pitt had called into being a numerous and well-equipped provincial army. Massachusetts, which had entered upon its alarm list more than forty-five thousand men, of whom more than thirty-seven thousand were by law obliged to train and in case of an invasion to take the field, had ten thousand of its citizens employed in the public service; but it kept its disbursements for the war under the control of its own commissioners. Pownall, its governor, complained of the reservation, as an infringement of the prerogative; predicted confidently the nearness of American independence; and, after vain appeals to the local legislature, repeated his griefs to the lords of trade.

The board, in reply, advised dissimulation. "The dependence which the colony of Massachusetts Bay ought to have upon the sovereignty of the crown," thus they wrote Pownall, "stands on a very precarious foot; and, unless some effectual remedy be applied at a proper time, it will be in great danger of being totally lost." The letter was sent without the knowledge of Pitt, who never invited a province to the utmost employment of its resources, with the secret purpose of subverting its liberties as soon as victory over a foreign foe should have been achieved with its concurrence.

Meantime, nine thousand and twenty-four provincials, from New England, New York, and New Jersey, assembled on the shore of Lake George. There were the six hundred New England rangers, dressed like woodmen; armed with a firelock and a hatchet; under their right arm a powder-horn; a leather bag for bullets at their waist; and to each officer a pocket compass as a guide in the forests. There was Stark, of New Hampshire, already promoted to be a captain. There was the generous, open-hearted Israel Putnam, now a major, leaving his good farm round which his own hands had helped to build the walls; of a gentle disposition, brave, and artless. There were the chaplains, who preached to the regiments of citizen soldiers a renewal of the days when Moses with the rod of God in his hand sent Joshua against Amalek. By the side of the provincials rose the tents of the regular army, six thousand three hundred and sixty-seven in number; of the whole force Abercrombie was commander in chief; but the general confidence rested solely on Lord Howe.

1758. Early in the spring, Bradstreet, of New York, had proposed an attempt upon Fort Frontenac; Lord Howe overruled objections; and the gallant provincial was to undertake it, as soon as the army should have established itself on the north side of the lake.

On the fifth day of July, the armament of more than fifteen thousand men, the largest body of European origin that had ever been assembled in America, struck their tents at daybreak, and in nine hundred small boats and one hun-

dred and thirty-five whale-boats, with artillery mounted on rafts, embarked on Lake George, beaming with hope and pride. They passed over the broader expanse of waters to the first narrows; they came where the mountains, then mantled with forests, step down to the water's edge; and, in the evening light, they halted at Sabbath-day Point. Long afterwards, Stark remembered that on that night Lord Howe, reclining in his tent on a bear-skin, and bent on winning a hero's name, questioned him closely as to the position of Ticonderoga and the fittest mode of conducting the attack. 1758.

On the promontory, where the lake, through an outlet or river less than four miles long, falling in that distance about one hundred and fifty-seven feet, enters Champlain, the French had placed Fort Carillon, having that lake on its east, and on the south and south-west the bay formed by the junction. On the north, wet meadows obstructed access; so that the only approach by land was from the north-west. On that side, about a half mile in front of the fort, Montcalm marked out his lines, which began near the meadows and followed the sinuosities of the ground till they approached the outlet. This the road from Lake George to Ticonderoga crossed twice by bridges, between which the path was as a chord to the large arc made by the course of the water. Near the bridge at the lower falls, less than two miles from the fort, the French had built saw-mills, on ground which offered a strong military position. On the first of July, Montcalm sent three regiments to occupy the head of the portage; but they had been recalled. On the morning of the fifth, when a white flag on the mountains gave warning that the English were embarked, a guard of three pickets was stationed at the landing-place; and De Trépézée, with three hundred men, was sent still further forward, to watch the movements of the enemy. July.

[illegible] a repose of five hours, the English army, an hour [illegible] midnight, was again in motion, and by nine the next [illegible] disembarked on the west side of the lake, about a [illegible] e the rapids, in a cove sheltered by a point which

still keeps the name of Lord Howe. The three French pickets precipitately retired.

As the enemy had burnt the bridges, the army, leaving behind its provisions, artillery, and all heavy baggage, formed in four columns, the regulars in the centre and provincials on the flanks, and began its march round the bend along the west side of the outlet, over ground uneven and densely wooded. "If these people," said Montcalm, "do but give me time to gain the position I have chosen on the heights of Carillon, I shall beat them." The columns, led by bewildered guides, broke and jostled each other; they had proceeded about two miles, and an advanced party was near Trout Brook, when the right centre, where Lord Howe had command, suddenly came upon the party of De Trépézée, who had lost his way and for twelve hours had been wandering in the forest. The worn-out stragglers, less than three hundred in number, fought bravely, but were soon overwhelmed; some were killed; some drowned in the stream; one hundred and fifty-nine surrendered. But Lord Howe, foremost in the skirmish, was the first to fall, expiring immediately. The grief of his fellow-soldiers, and the confusion that followed his death, spoke his eulogy; Massachusetts raised his monument in Westminster Abbey; America long cherished his memory.

1758. The English passed the following night under arms in the forest. On the morning of the seventh, Abercrombie had no better plan than to draw back to the landing-place. An hour before noon, Bradstreet, with a strong detachment, rebuilt the bridges, and took possession of the ground near the saw-mills; on which the general joined him with the whole army, and encamped that night not more than a mile and a half from the enemy.

Early the next day, Abercrombie sent Clerk, the chief engineer, across the outlet to reconnoitre the French lines, which he reported to be of flimsy construction, strong in appearance only. Stark, of New Hampshire, as well as some English officers, with a keener eye and sounder judgment, saw well-finished preparations of defence; but the general, apprehending that Montcalm already commanded

six thousand men, and that De Levi was hastening to join him with three thousand more, gave orders, without waiting for cannon to be brought up, to storm the breastworks that very day. For that end, a triple line was formed, out of reach of cannon-shot; the first consisted, on the left, of the rangers; in the centre, of the boatmen; on the right, of the light infantry; the second, of provincials, with wide openings between their regiments; the third, of the regulars. Troops of Connecticut and New Jersey formed a rear-guard. During these arrangements, Sir William Johnson arrived with four hundred and forty warriors of the Six Nations, who gazed with inactive apathy on the white men that had come so far to shed each other's blood.

On the sixth of July, Montcalm called in all his parties, which amounted to no more than two thousand eight hundred French and four hundred and fifty Canadians. That day, he employed the second battalion of Berry in strengthening his post. The next day, his whole army toiled incredibly; the officers giving the example, and planting the flags on the breastwork. In the evening, De Levi returned from an intended expedition against the Mohawks, bringing four hundred chosen men; and at night all bivouacked along the intrenchment. On the morning of the eighth, the drums of the French beat to arms, that the troops, now thirty-six hundred and fifty in number, might know their stations; and then, without pausing to return the fire of musketry from English light troops on the declivities of the mountain, they resumed their work. The right of their defences rested on a hillock, from which the plain between the lines and the lake was to have been flanked by four pieces of cannon, but the battery could not be finished; the left extended to a scarp surmounted by an abattis. For a hundred yards in front of the intermediate breastwork, which consisted of piles of logs, the approach was obstructed by felled trees with their branches pointing outwards, stumps, and rubbish of all sorts. 1758.

The English army, obeying the orders of a commander who remained out of sight and far behind during the action, rushed forward with fixed bayonets to carry the lines, the

regulars advancing through the openings between the provincial regiments, and taking the lead. Montcalm, who stood just within the trenches, threw off his coat for
1758. the sunny work of the July afternoon, and forbade a musket to be fired till he commanded; then, as the English drew very near in three principal columns to attack simultaneously the left, the centre, and the right, and became entangled among the rubbish and broken into disorder by clambering over logs and projecting limbs, at his word a sudden and incessant fire from swivels and small arms mowed down brave officers and men by hundreds. Their intrepidity made the carnage terrible. The attacks were continued all the afternoon, generally with the greatest vivacity. When the English endeavored to turn the left, Bourlamarque opposed them till he was dangerously wounded; and Montcalm, who watched every movement, sent re-enforcements at the moment of crisis. On the right, the grenadiers and Scottish Highlanders charged for three hours, without faltering and without confusion; many fell within fifteen steps of the trench; some, it was said, upon it. About five o'clock, the columns which had attacked the French centre and right concentrated themselves on a salient point between the two; but De Levi flew from the right, and Montcalm himself brought up a reserve. At six, the two parties nearest the water turned desperately against the centre, and, being repulsed, made a last effort on the left. Thus were life and courage prodigally wasted, till the bewildered English fired on an advanced party of their own, producing hopeless dejection; and after losing, in killed and wounded, nineteen hundred and sixty-seven, chiefly regulars, they fled promiscuously.

The British general, during the battle, cowered safely at the saw-mills; and, when his presence was needed to rally the fugitives, was nowhere to be found. The second in command gave no orders; while Montcalm, careful of every duty, distributed [illegible]ments among his exhausted soldiers, cheered them [illegible] to each regiment for their incredi- [illegible] the coming night in strengthening

The English still exceeded the French fourfold. Their artillery was near and could easily force a passage. The mountain over against Ticonderoga was in their possession. But Abercrombie, a victim to the "extremest fright and consternation," hurried the army that same even- 1758. ing to the boats, embarked the next morning, and did not rest till he had placed the lake between himself and Montcalm. Even then he sent artillery and ammunition to Albany for safety.

The news overwhelmed Pitt with melancholy; but Bute, who insisted that "Abercrombie and the troops had done their duty," comforted himself in "the numbers lost" as proof of "the greatest intrepidity," thinking it better to have cause for "tears" than "blushes;" and reserved all his sympathy for the "broken-hearted commander." Prince George expressed his hope, one day, by "superior help," to "restore the love of virtue and religion."

While Abercrombie wearied his army with lining out a useless fort, the partisans of Montcalm were present everywhere. Just after the retreat of the English, they fell upon a regiment at the Half-way Brook between Fort Edward and Lake George. A fortnight later, they seized a convoy of wagoners at the same place. To intercept the French on their return, some hundred rangers scoured the forests near Woodcreek, marching in Indian file, Putnam in the rear, in front the commander Rogers, who, with a British officer, beguiled the way by firing at marks. The noise attracted hostile Indians to an ambuscade. A skirmish ensued, and Putnam, with twelve or fourteen more, was separated from the party. His comrades were scalped: in after-life, he used to relate how one of the savages gashed his cheek with a tomahawk, bound him to a forest tree, and kindled about him a crackling fire; how his thoughts glanced aside to the wife of his youth and the group of children that gambolled in his fields; when the brave French officer, Marin, happening to descry his danger, rescued him from death, to be exchanged in the autumn.

Better success awaited Bradstreet. From the majority in a council of war, he extorted a reluctant leave to proceed

against Fort Frontenac. At the Oneida carrying-place, Brigadier Stanwix placed under his command twenty-seven hundred men, all Americans, nearly seven hundred from Massachusetts, more than eleven hundred of them New Yorkers, among whom were the brothers James and George Clinton. There, too, were assembled one hundred and fifty warriors of the Six Nations; among them, Red Head, the renowned war-chief of Onondaga. Inspired by his eloquence in council, two-and-forty of them took Bradstreet for their friend and grasped the hatchet as his companions. At Oswego, towards which they moved with celerity, there remained scarce a vestige of the English fort; of the French there was no memorial but "a large wooden cross." As the Americans gazed with extreme pleasure on the scene around them, they were told that farther west, in "Genesee and Canasadaga, there were lands as fertile, rich, and luxuriant as any in the universe." Crossing Lake Ontario in open boats, they landed, on the twenty-fifth of
1758. August, within a mile of Fort Frontenac. It was a quadrangle, mounted with thirty pieces of cannon and sixteen small mortars. On the second day, such of the garrison as had not fled surrendered. Here, also, were military stores for Fort Duquesne and the interior dependencies, with nine armed vessels, each carrying from eight to eighteen guns; of these, two were sent to Oswego. After razing the fortress, and destroying such vessels and stores as could not be brought off, the Americans returned to Lake George.

There the main army was wasting the season in supine inactivity. The news of the disastrous day at Ticonderoga induced Amherst, without orders, to conduct four regiments and a battalion from Louisburg. They landed in September at Boston, and at once entered on the march through the greenwood. In one of the regiments was Lieutenant Richard Montgomery, who remained near the northern lakes till 1760. When near Albany, Amherst hastened in advance, and on the fifth of October came upon the English camp. Early in November, despatches arrived, appointing him commander in chief. Returning to England, Aber-

crombie was screened from censure, maligned the Americans, and afterwards assisted in parliament to tax the witnesses of his pusillanimity.

Canada was exhausted. "Peace! peace!" was the cry; "no matter with what boundaries." "I have not lost courage," wrote Montcalm, "nor have my troops; 1758. we are resolved to find our graves under the ruins of the colony."

Pitt, who had carefully studied the geography of North America, knew that the success of Bradstreet had gained the dominion of Lake Ontario and opened the avenue to Niagara; and he turned his mind from the defeat at Ticonderoga, to see if the banner of England was already waving over Fort Duquesne. For the conquest of the Ohio valley he relied mainly on the central provinces. The assembly of Maryland had insisted on an equitable assessment of taxes on all property, not omitting the estates of the proprietaries: this Loudoun reported "as a most violent attack on his majesty's prerogative." "I am persuaded," urged Sharpe on his official correspondent in England, "if the parliament of Great Britain was to compel us by an act to raise thirty thousand pounds a year, the upper class of people among us, and, indeed, all but a very few, would be well satisfied;" and he sent "a sketch of an act" for "a poll-tax on the taxable inhabitants." But that form of raising a revenue throughout America, being specially unpalatable to English owners of slaves in the West Indies, was disapproved "by all" in England. While the officers of Lord Baltimore were thus concerting with the board of trade a tax by parliament, William Pitt, though entreated to interpose, regarded the bickerings between the proprietary and the people with calm impartiality, blaming both parties for the disputes which withheld Maryland from contributing her full share to the conquest of Fort Duquesne.

After long delays, Joseph Forbes, who had the command as brigadier, saw twelve hundred and fifty Highlanders arrive from South Carolina. They were joined by three hundred and fifty royal Americans. Pennsylvania, animated by an unusual military spirit,—which seized even Benjamin

West, known afterwards as a painter, and Anthony Wayne, then a boy of thirteen, — raised for the expedition twenty-seven hundred men. Their senior officer was John Armstrong. With Washington as their leader, Virginia sent two regiments of about nineteen hundred, whom their beloved commander praised as "really fine corps." Yet, vast as were the preparations, Forbes would never, but for Washington, have seen the Ohio.

The Virginia chief, who at first was stationed at Fort Cumberland, clothed a part of his force in the hunting-shirt and Indian blanket, which least impeded the progress of the soldier through the forest; and he entreated that the army might advance promptly along Braddock's road. But the expedition was not merely a military enterprise: it was also the march of civilization towards the west, and was made memorable by the construction of a better avenue to the Ohio. This required long continued labor.

1758. September had come, before Forbes, whose life was slowly ebbing, was borne in a litter as far as Raystown. "See how our time has been misspent!" cried Washington, angry at delay, and obstinately opposed to the opening the new route, which Armstrong, of Pennsylvania, as obstinately advocated. But Forbes preserved a clear head and a firm will, or, as he himself expressed it, was "actuated by the spirits" of William Pitt; and he decided to keep up the direct connection with Philadelphia, as essential to present success and future security.

While Washington, with most of the Virginians, joined the main army, Bouquet was sent forward, with two thousand men, to Loyal Hanna. There he received intelligence that the French post was defended by but eight hundred men, of whom three hundred were Indians. Bouquet, without the knowledge of his superior officer, intrusted to Major Grant, of Montgomery's battalion, a party of eight hundred, chiefly Highlanders and Virginians, of Washington's command, with orders to reconnoitre the enemy's position. The men, who were all accustomed to the mountains, and of whom the Virginians were clad in the light Indian garb, easily scaled the successive ridges, and took post on a hill

near Fort Duquesne. Not knowing that Aubry had arrived with a re-enforcement of four hundred men from Illinois, Grant divided his troops, in order to tempt the enemy into an ambuscade; and, at daybreak of the fourteenth of September, discovered himself by beating his drums. A large body of French and Indians, commanded by the gallant Aubry, immediately poured out of the fort, and with surprising celerity attacked his troops in detail, never allowing him time to get them together. They gave way and ran, leaving two hundred and ninety-five killed or prisoners. Even Grant, who in the folly of his vanity had but a few moments before been confident of an easy victory, gave himself up as a captive; but a small party of Virginians, under the command of Thomas Bullitt, arrested the precipitate flight, and saved the detachment from utter ruin. On their return to the camp, their coolness and courage were publicly extolled by Forbes; and in the opinion of the whole army, regulars as well as provincials, their superiority of discipline reflected honor on Washington.

Not till the fifth of November did Forbes himself 1758.
reach Loyal Hanna; and there a council of war determined for that season to advance no further. But, on the twelfth, Washington gained from three prisoners exact information of the weakness of the French garrison on the Ohio; and it was resolved to proceed. Two thousand five hundred men were picked for the service. For the sake of speed, they left behind every convenience except a blanket and a knapsack, and of the artillery took only a light train.

Washington, who, pleading a "long intimacy with these woods" and familiarity "with all the passes and difficulties," had solicited the responsibility of leading the party, was appointed to command the advance brigade, the pioneers of America in its course to the west. His party was of provincials, and they toiled cheerfully at his side. Forbes, now sinking into the grave, had consumed fifty days in marching as many miles from Bedford to Loyal Hanna. Fifty miles of the wilderness still remained to be opened in the late season, through a soil of deep clay, or over rocky hills white with snow, by troops poorly fed and poorly clad;

but Washington infused his own spirit into the men whom he commanded, and who thought light of hardships and dangers while "under the particular directions" of "the man they knew and loved." Every encampment was so planned as to hasten the issue. On the thirteenth, the veteran Armstrong, who had proved his superior skill in leading troops rapidly and secretly through the wilderness, pushed forward with one thousand men, and in five days threw up defences within seventeen miles of Fort Duquesne. On the fifteenth, Washington, who followed, was on Chestnut Ridge; on the seventeenth, at Bushy Run. "All," he reported, "are in fine spirits and anxious to go on." On the nineteenth, Washington left Armstrong to wait for the Highlanders, and, taking the lead, dispelled by his vigilance every "apprehension of the enemy's approach." When, on the twenty-fourth, the general encamped his whole party among the hills of Turkey Creek, within ten miles of Fort Duquesne, the disheartened garrison, then about five hundred in number, set fire to the fort in the night-time, and by the light of its flames went down the Ohio. On Saturday, the twenty-fifth of November, the little army moved on in one body; and at evening the youthful hero could point out to Armstrong and the hardy provincials, who marched in front, to the Highlanders and royal Americans, to Forbes himself, the meeting of the rivers. Armstrong's own hand raised the British flag over the ruined bastions of the fortress. As the banners of England floated over the waters, the place, at the suggestion of Forbes, was with one voice called Pittsburg. It is the most enduring monument to William Pitt. America raised to his name statues that have been wrongfully broken, and granite piles of which not one stone remains upon another; but, long as the Monongahela and the Alleghany shall flow to form the Ohio, long as the English tongue shall be the language of freedom in the boundless valley which their waters traverse, his name shall stand inscribed on the gateway of the west.

1758.

The twenty-sixth was observed as a day of public thanksgiving for success; and when was success of greater impor-

tance? The connection between the seaside and the world beyond the mountains was established for ever; a vast territory was secured; the civilization of liberty and commerce and religion was henceforth "to maintain the undisputed possession of the Ohio." "These dreary deserts," wrote Forbes, "will soon be the richest and most fertile of any possessed by the British in North America."

On the twenty-eighth, a numerous detachment went to Braddock's field, where their slaughtered comrades, after more than three years, lay yet unburied in the forest. Here and there a skeleton was found resting on the trunk of a fallen tree, as if a wounded man had sunk down in the attempt to fly. In some places, wolves and crows had left signs of their ravages; in others, the blackness of ashes marked the scene of the revelry of cannibals. The trees still showed branches rent by cannon, trunks dotted with musket-balls. Where the havoc had been the fiercest, bones lay whitening in confusion. None could be recognised, except that the son of Sir Peter Halket was called by the shrill whistle of a savage to the great tree near which his father and his brother had been seen to fall together; and, while Benjamin West and a company of Pennsylvanians formed a circle around, the Indians removed the leaves, till they bared the relics of the youth lying across those of the elder officer. The remains of the two, thus united in death, were wrapped in a Highland plaid, and consigned to one grave, amidst the ceremonies that belong to the burial of the brave. The bones of the undistinguishable multitude, more than four hundred and fifty in number, were indiscriminately cast into the ground, no one knowing for whom specially to weep. The chilling gloom of the forest at the coming of winter, the religious awe that mastered the savages, the grief of the son fainting at the fearful recognition of his father, the groups of soldiers sorrowing over the ghastly ruins of an army, formed a sombre scene of desolation. How is all changed! The banks of the broad and placid Monongahela smile with orchards and teeming harvests and gardens, with workshops and villas; the victories of peace have effaced the memorials of war; a railroad, that

1758.

sends its cars over the Alleghanies in fewer hours than the army had taken weeks for its unresisted march, passes through the scene where the carnage was the worst; and in all that region no sounds now prevail but of life and activity.

Two regiments composed of Pennsylvanians, Marylanders, and Virginians, remained as a garrison, under the command of Mercer; and for Washington, who at twenty-six retired from the army, after having done so much to advance the limits of his country, the next few weeks were filled with happiness and honor. The people of Fredericktown had chosen him their representative. On the last day of the year, "the affectionate officers" who had been under him expressed, with "sincerity and openness of soul," their grief at "the loss of such an excellent commander, such a sincere friend, and so affable a companion," "a man so experienced in military affairs, one so renowned for patriotism, conduct, and courage." They publicly acknowledged to have found in him a leader who had "a quick discernment and invariable regard for merit, an earnestness to inculcate genuine sentiments of true honor and passion for glory;" whose "example inspired alacrity and cheerfulness in encountering severest toils;" whose zeal for "strict discipline and order gave to his troops a superiority which even the regulars and provincials publicly acknowl-
1759. edged." On the sixth of the following January, the woman of his choice was bound with him in wedlock. The first month of union was hardly over, when, in the house of burgesses, the speaker, obeying the resolve of the house, publicly gave him the thanks of Virginia for his services to his country; and as the young man, taken by surprise, hesitated for words in his attempt to reply, "Sit down," interposed the speaker; "your modesty is equal to your valor, and that surpasses the power of any language I possess." After these crowded weeks, Washington, no more a soldier, retired to Mount Vernon, with the experience of five years of assiduous service. Yet not the quiet of rural life by the side of the Potomac, not the sweets of conjugal love, could turn his fixed mind from the love of

glory; and he revealed his passion by adorning his rooms with busts of Eugene and Marlborough, of Alexander, of Cæsar, of Charles XII.; and of one only among living men, the king of Prussia, whose struggles he watched with painful sympathy. Thus Washington had ever before his eyes the image of Frederic. Both were eminently founders of nations, childless heroes, fathers only to their countries: the one beat down the dominion of the aristocracy of the middle ages by a military monarchy; the Providence which rules the world had elected the other to guide the fiery coursers of revolution along nobler paths, and to check them firmly at the goal.

CHAPTER XIV.

THE CONQUEST OF CANADA. PITT'S MINISTRY CONTINUED.

1759.

AMERICA more and more drew the attention of statesmen; and Pitt, who through his under-secretaries continued to profit by Franklin's wisdom, resolved that the boundless north of that continent should be a conquest for his
1759. country. With astonishing unanimity, parliament voted for the year twelve millions sterling, and such forces, by sea and land, as till those days had been unimagined in England.

In the arrangements for the campaign, the secretary disregarded seniority of rank. Stanwix was to complete the occupation of the posts at the west from Pittsburg to Lake Erie; Prideaux to reduce Fort Niagara; and Amherst, now commander in chief and the sinecure governor of Virginia, to advance with the main army to Lake Champlain. To command the fleet which was to support the attack on Quebec, Pitt selected the generous and kind-hearted Saunders, an officer who to unaffected modesty and steady courage joined the love of civil freedom. The command of the army in the river St. Lawrence was conferred on Wolfe. "I feel called upon," he had once written, on occasion of his early promotion, "to justify the notice taken of me by such exertions and exposure of myself as will probably lead to my fall." And the day before departing for his command, in the inspiring presence of Pitt, he forgot danger, glory, every thing but the overmastering purpose to devote himself for his country.

All the while, ships from every part of the world were bringing messages of the success of British arms. In the preceding April, a small English squadron made a conquest

of Senegal; in December, negroes crowded on the heights of the Island of Goree to gaze on the strange spectacle of war, and to witness the surrender of its forts to Commodore Augustus Keppel. In the Indian seas, Pococke maintained the superiority of England. In the West Indies, in January, 1759, a fleet of ten line-of-battle ships, with 1759. six thousand effective troops, made a fruitless attack on Martinique; but, sailing for Guadaloupe, the best of the West India possessions of France, after the losses and daring deeds of more than three months, in May it gained, by capitulation, that delightful and well-watered island, whose harbor can screen whole navies from hurricanes, whose position gives the command of the neighboring seas.

From the continent of Europe came the assurance that a victory at Minden had protected Hanover. The French, having repulsed Prince Ferdinand of Brunswick at Frankfort, pursued their advantage, occupied Cassel, compelled Munster to capitulate, and took Minden by assault; so that Hanover could be saved only by a victory. Contades and Broglie, the French generals, with their superior force were allured from their strong position, and accepted battle on narrow and inconvenient ground, on which their horse occupied the centre, their foot the wings. The French cavalry charged, but, swept by artillery and the rolling fire of the English and Hanoverian infantry, they were repulsed. At this moment, Ferdinand, who had detached the hereditary prince of Brunswick with ten thousand men to cut off the retreat, sent a message to the commander of the British cavalry, Lord George Sackville, by a German aide-de-camp. Lord George affected not to understand. Ligonier came next, with express directions that he should bring up the cavalry and attack the French, who were faltering. "See the confusion he is in!" cried Sloper to Ligonier; "for God's sake, repeat your orders!" Fitzroy arrived with a third order from Ferdinand. "This cannot be so," said Lord George; "would he have me break the line?" Fitzroy urged the command. "Do not be in a hurry," said Lord George. "I am out of breath with galloping," replied young Fitzroy, "which makes me speak quick; but my

orders are positive; the French are in confusion; here is a glorious opportunity for the English to distinguish themselves." "It is impossible," repeated Lord George, "that the prince could mean to break the line." "I give you his orders," rejoined Fitzroy, "word for word." "Who will be the guide to the cavalry?" asked Lord George. "I," said the brave boy, and led the way. Lord George, pretending to be puzzled, was reminded by Smith, one of his aids, of the necessity of immediate obedience; on which he sent Smith to lead on the British cavalry, while he himself rode to the prince for explanation. Ferdinand, in scorn, renewed his orders to the Marquis of Granby, the second in command, and was obeyed with alacrity; but the decisive moment was lost. "Lord George's fall was prodigious," said Horace Walpole; "nobody stood higher; nobody had more ambition or more sense." Pitt softened his misfortune with the offices of humanity, but condemned his conduct. George II. dismissed him from all his posts. A court-martial, the next year, found him guilty of disobeying orders, and unfit for employment in any military capacity; on which the king struck his name out of the council-book and forbade his appearance at court.

In America, every colony north of Maryland seconded this zeal of William Pitt. In New York and New England, there was not one village but grew familiar with war from the experience of its own inhabitants. Massachusetts sent into the service more than seven thousand men, or nearly one sixth part of all who were able to bear arms. Connecticut raised, as in the previous year, five thousand men. To meet the past expense, the little colony incurred heavy debts, and appointed taxes on property to discharge them. New Jersey had already lost one thousand men, and yet voted to raise one thousand more; and expended yearly for the war an amount equal to about five dollars for each inhabitant. Such was the free service of the loyal colonies under an administration which respected their liberty.

To encounter the preparations of England and America, Canada received scanty supplies of provisions from France. "The king," wrote the minister to Montcalm, "relies on

your zeal and obstinacy of courage;" but Montcalm informed Belle-Isle plainly, that, without unexpected good fortune, or great fault in the enemy, Canada must be taken this campaign, or certainly the next. Its census 1759. showed but a population of about eighty-two thousand, of whom not more than seven thousand men could serve as soldiers; the eight French battalions counted but thirty-two hundred; while the English were thought to have almost fifty thousand men in arms. There was a dearth in the land; the fields were hardly cultivated; domestic animals were failing; the soldiers were unpaid; paper money had increased to thirty millions of livres, and would that year be increased twelve millions more; while the civil officers were making haste to enrich themselves before the surrender, which was to screen their frauds.

The western brigade, commanded by Prideaux, composed of two battalions from New York, a battalion of royal Americans, and two British regiments, with a detachment of royal artillery, and Indian auxiliaries under Sir William Johnson, was the first to engage actively. Fort Niagara stood, as its ruins yet stand, on the flat and narrow promontory round which the deep and rapid Niagara sweeps into the lower lake. There La Salle, first of Europeans, had driven a light palisade. There Denonville had constructed a fortress and left a garrison for a winter. It commanded the portage between Ontario and Erie, and gave the dominion of the western fur-trade. Leaving a detachment with Colonel Haldimand to construct a tenable post at the mouth of the Oswego, the united American, British, and Indian forces embarked, on the first day of July, on Lake Ontario, and landed without opposition at one of its inlets, six miles east of the junction of the Niagara. The fortress on the peninsula was easily invested.

Aware of the importance of the station, D'Aubry collected from Detroit and Erie, Le Bœuf and Venango, an army of twelve hundred men, larger than that which defeated Braddock, and marched to the rescue. Prideaux made the best dispositions to frustrate the design; but, on the fifteenth of July, he was killed by the bursting of a

cohorn, leaving his honors immature. Sir William Johnson, who succeeded to the command, commemorated his rare abilities and zeal, and carefully executed his plans. He posted the British army on the left, above the fort, so as to intercept the approach of the enemy and to support the guard in the trenches. On the morning of the
1759. twenty-fourth of July, the French made their appearance. The Mohawks gave a sign for a parley with the French Indians; but, as it was not returned, they raised the war-whoop. While the regulars advanced to meet the French in front, the English Indians gained their flanks and threw them into disorder, on which the English rushed to the charge with irresistible fury. The French broke, retreated, and were pursued. The carnage continued till fatigue stayed its hand. The bodies of the dead lay uncounted among the forests. On the next day, the garrison, consisting of about six hundred men, capitulated. Thus did New York extend its limits to the Niagara River and Lake Erie. The victory was so decisive, that the officer and troops sent by Stanwix from Pittsburg took possession of the French posts as far as Erie without resistance.

The success of the English on Lake Ontario drew De Levi, the second in military command in New France, from before Quebec. He ascended beyond the Rapids, and endeavored to guard against a descent to Montreal by occupying the passes of the river near Ogdensburg. The number of men at his disposal was too few to accomplish the object; and Amherst directed Gage, whom he detached as successor to Prideaux, to take possession of the post. But Gage made excuses for neglecting the orders, and whiled away his harvest-time of honor.

Meantime, the commander in chief assembled the main army at Lake George. The temper of Amherst was never ruffled by collisions with the Americans; his displeasure, when excited, was concealed under apparent apathy or impenetrable self-command. His judgment was slow, but safe; his mind solid, but never inventive. Taciturn and stoical, he displayed respectable abilities as a commander, without fertility of resources, or daring enterprise. In five

British regiments, with the royal Americans, he had fifty-seven hundred and forty-three regulars; of provincials and Gage's light infantry he had nearly as many more. On the longest day in June, he reached the lake, and 1759. the next day, with useless precaution, traced out the ground for a fort. On the twenty-first of July, the invincible flotilla moved in four columns down the water, with artillery and more than eleven thousand men. On the twenty-second, the army disembarked on the eastern shore, nearly opposite the landing-place of Abercrombie; and that night, after a skirmish of the advanced guard, they lay under arms at the saw-mills. The next day, the French army under Bourlamarque, leaving a garrison of but four hundred in Fort Carillon, deserted their lines, of which possession was immediately taken.

Conscious of their inability to resist the British artillery and army, the French, on the twenty-sixth, abandoned Ticonderoga; and, five days afterwards, retreated from Crown Point to Isle-aux-Noix. The whole mass of the people of Canada had been called to arms; the noblesse piqued themselves much on the antiquity of their families, their own military glory and that of their ancestors; nor had the world known greater courage and loyalty than they displayed. So general had been the levy that there were not men enough left to reap the fields round Montreal; and, to prevent starvation, women, old men, and children were ordered to gather in the harvest alike for rich and poor. Yet, as the chief force was with Montcalm near Quebec, as the Indians no longer thronged to the camp of the French, the army that opposed Amherst had but one fourth of his numbers, and could not be recruited. An immediate descent on Montreal was universally expected. In a fortnight, Crown Point was occupied, without opposition. Amherst must advance, or Wolfe may perish. But, after repairing Ticonderoga, he wasted labor in building fortifications at Crown Point, which the conquest of Canada would render useless. Thus he let all August, all September, and ten days of October go by, before boats were ready; and when at last he embarked, and victory, not without honor, might

still have been within his grasp, he received messengers from Quebec, and turned back, having done nothing but occupy and repair deserted forts. Sending a detachment against the St. Francis Indians, he went into winter-quarters, leaving his unfinished work for another costly campaign. Amherst was a brave and faithful officer, but his intellect was dull. He gained a great name, because New France was occupied during his chief command; but, had Wolfe resembled him, Quebec would not have fallen.

1759. June. As soon as the floating masses of ice permitted, the forces for the expedition against Quebec repaired to Louisburg; and Wolfe, by his activity and zeal, his good judgment and the clearness of his orders, inspired unbounded confidence. His army consisted of eight regiments, two battalions of royal Americans, three companies of rangers, artillery, and a brigade of engineers, — in all, about eight thousand men; the fleet under Saunders had two-and-twenty ships of the line, and as many frigates and armed vessels. On board of one of the ships was Jervis, afterwards Earl Saint-Vincent; another, which followed, bore as master James Cook, the navigator, who was destined to explore and reveal the paths and thousand isles of the Pacific. The brigades had for their commanders the brave, open-hearted, and liberal Robert Monckton, afterwards governor of New York and conqueror of Martinique; George Townshend, elder brother of Charles Townshend, soon to succeed his father in the peerage, and become known as a legislator for America, a man of quick perception, but unsafe judgment; and the rash and inconsiderate James Murray. For his adjutant-general, Wolfe selected Isaac Barré, an old associate at Louisburg. The grenadiers of the army were formed into a corps, commanded by Colonel Guy Carleton; a detachment of light infantry was to receive orders from Lieutenant-colonel, afterwards Sir William, Howe.

On the twenty-sixth of June, the whole armament arrived, without the least accident, off the Isle of Orleans, on which, the next day, they disembarked. A little south of west, the cliff of Quebec was seen distinctly, seemingly impregnable, rising precipitously in the midst of one of the grandest

scenes in nature. To protect this guardian citadel of New France, Montcalm had of regular troops no more than six wasted battalions; of Indian warriors few appeared, the wary savages preferring the security of neutrals; 1759. the Canadian militia gave him the superiority in numbers; but he put his chief confidence in the natural strength of the country. Above Quebec, the high promontory on which the upper town is built expands into an elevated plain, having towards the river the steepest acclivities. For nine miles or more above the city, as far as Cape Rouge, every landing-place was intrenched and protected. The river St. Charles, after meandering through a fertile valley, sweeps the rocky base of the town, which it covers by expanding into sedgy marshes. Nine miles below Quebec, the impetuous Montmorenci, after fretting itself a whirlpool route, and leaping for miles down the steps of a rocky bed, rushes with velocity towards the ledge, over which, falling two hundred and fifty feet, it pours its fleecy cataract into the chasm.

As Wolfe disembarked on the Isle of Orleans, the fleet with the numerous transports lay at anchor on his left; the tents of his army stretched across the island; the intrenched troops of France, having their centre at the village of Beauport, extended from the Montmorenci to the St. Charles; the city of Quebec, garrisoned by five battalions, bounded the horizon. At midnight, on the twenty-eighth, the short darkness was lighted up by a fleet of fire-ships, that, after a furious storm of wind, came down with the tide in the proper direction; but the British sailors grappled with them and towed them free of the shipping.

The river was Wolfe's: the men-of-war made it so; and, being master of the deep water, he also had the superiority on the south shore of the St. Lawrence. In the night of the twenty-ninth, Monckton, with four battalions, having crossed the south channel, occupied Point Levi; and where the mighty current, which below the town expands as a bay, narrows to a deep stream of but a mile in width, batteries of mortar and cannon were constructed. Early in July, the citizens of Quebec, foreseeing the ruin of their

houses, volunteered to pass over the river and destroy the works; but, at the trial, their courage failed them, and they retreated. The English, by the discharge of red-hot
1759. balls and shells, set on fire fifty houses in a night, demolished the lower town, and injured the upper; but the citadel was beyond their reach, and every avenue from the river to the cliff was too strongly intrenched for an assault.

As yet no real progress had been made. Wolfe was eager for battle, being willing to risk all his hopes on the issue. He saw that the eastern bank of the Montmorenci was higher than the ground occupied by Montcalm, and, on the ninth, he crossed the north channel and encamped there; but the armies and their chiefs were still divided by the river precipitating itself down its rocky way in impassable eddies and rapids. Three miles in the interior, a ford was found; but the opposite bank was steep, woody, and well intrenched. Not a spot on the line of the Montmorenci for miles into the interior, nor on the St. Lawrence to Quebec, was left unprotected by the vigilance of the inaccessible Montcalm.

The general proceeded to reconnoitre the shore above the town. In concert with Saunders, on the eighteenth he sailed along the well-fortified bank from Montmorenci to the St. Charles; he passed the deep and spacious harbor, which, at four hundred miles from the sea, can shelter a hundred ships of the line; he neared the high cliff of Cape Diamond, towering like a bastion over the waters and surmounted by the banner of the Bourbons; he coasted along the craggy wall of rock that extends beyond the citadel; he marked the outline of the precipitous hill that forms the north bank of the river: and everywhere he beheld a natural fastness, vigilantly defended; intrenchments, cannon, boats, and floating batteries guarding every access. Had a detachment landed between the city and Cape Rouge, it would have encountered the danger of being cut off before it could receive support. He would have risked a landing at St. Michael's Cove, three miles above the city, but the enemy prevented him by planting artillery and a mortar to play upon the shipping.

Meantime, at midnight, on the twenty-eighth, the French sent down a raft of fire-stages, consisting of nearly a hundred pieces; but these, like the fire-ships a month before, did but light up the river, without injuring the British fleet. Scarcely a day passed but there were skirmishes of the English with the Indians and Canadians, who trod stealthily in the footsteps of every exploring party.

Wolfe returned to Montmorenci. July was almost 1759. gone, and he had made no effective advances. He resolved on an engagement. The Montmorenci, after falling over a perpendicular rock, flows for three hundred yards, amidst clouds of spray and rainbow glories, in a gentle stream to the St. Lawrence. Near the junction, the river may, for a few hours of the tide, be passed on foot. It was planned that two brigades should ford the Montmorenci at the proper time of the tide, while Monckton's regiments should cross the St. Lawrence in boats from Point Levi. The signal was made, but some of the boats grounded on a ledge of rocks that runs out into the river. While the seamen were getting them off, and the enemy were firing a vast number of shot and shells, Wolfe, with some of the navy officers as companions, selected a landing-place; and his desperate courage thought it not yet too late to begin the attack. Thirteen companies of grenadiers, and two hundred of the second battalion of the royal Americans, who got first on shore, not waiting for support, ran hastily towards the intrenchments, and were repulsed in such disorder that they could not again come into line; though Monckton's regiments had arrived, and had formed with the coolness of invincible valor. But hours hurried by; night was near; the clouds of midsummer gathered heavily, as if for a storm; the tide rose; and Wolfe, wiser than Frederic at Colin, ordered a timely retreat. A strand of deep mud; a hillside, steep, and in many places impracticable; the heavy fire of a brave, numerous, and well-protected enemy, — were obstacles which intrepidity and discipline could not overcome. In general orders, Wolfe censured the impetuosity of the grenadiers; he praised the coolness of Monckton's regiments, as able alone to beat back the whole Canadian army.

This severe check, in which four hundred lives were lost, happened on the last day of July. Murray was next sent, with twelve hundred men, above the town, to destroy the French ships and open a communication with Amherst. Twice he attempted a landing on the north shore, without success; at Deschambault, a place of refuge for women and children, he won advantages over a guard of invalid soldiers, and learned that Niagara had surrendered, that the French had abandoned Ticonderoga and Crown Point. The eyes of Wolfe were strained to see Amherst approach. Vain hope! The commander in chief, though opposed by no more than three thousand men, was loitering at Crown Point; nor did even a messenger from him arrive. Wolfe was alone to struggle with difficulties which every hour made more appalling. The numerous body of armed men under Montcalm "could not," he said, "be called an army;" but the French had the strongest country, perhaps, in the world, on which to rest the defence of the town. Their boats were numerous, and weak points were guarded by floating batteries; the keen eye of the Indian prevented surprise; the vigilance and hardihood of the Canadians made intrenchments everywhere necessary. The peasantry were zealous to defend their homes, language, and religion; old men of seventy and boys of fifteen fired at the English detachments from the edges of the wood; every one able to bear arms was in the field. Little quarter was given on either side. Thus for two months the British fleet had ridden idly at anchor, the army had lain in their tents. The feeble frame of Wolfe sunk under the energy of his restless spirit, and the pain of anxious inactivity.

1759. Aug.

Yet, while disabled by fever, he laid before the brigadiers three several and equally desperate methods of attacking Montcalm in his intrenchments at Beauport. Meeting at Monckton's quarters, they wisely and unanimously gave their opinions against them all, and advised to convey four or five thousand men above the town, and thus draw Montcalm from his impregnable situation to an open action. Wolfe acquiesced in their proposal; and, with despair in his heart, yet as one conscious that he lived under the eye of

Pitt and of his country, he prepared to carry it into effect. Attended by the admiral, he examined once more the citadel, with a view to a general assault. Although every one of the five passages from the lower to the upper town was carefully intrenched, Saunders was willing to join in any hazard for the public service; "but I could not propose to him," said Wolfe, "an undertaking of so dangerous a nature and promising so little success." He had the whole force of Canada to oppose, and, by the nature of the river, the fleet could render no assistance. "In this situation," wrote Wolfe to Pitt, on the second of September, "there is 1759 such a choice of difficulties, that I am myself at a loss how to determine. The affairs of Great Britain require most vigorous measures; but, then, the courage of a handful of brave men should be exerted only where there is some hope." England read the despatch with dismay, and feared to hear further tidings.

Securing the posts on the Isle of Orleans and opposite Quebec, he marched, with the army, on the fifth and sixth of September, from Point Levi, to which place he had transferred all the troops from Montmorenci, and embarked them in transports that had passed the town for the purpose. On the three following days, Admiral Holmes, with the ships, ascended the river to amuse De Bougainville, who had been sent up the north shore to watch the movements of the British army, and prevent a landing. New France began to feel joy, believing the worst dangers of the campaign over. De Levi, the second officer in command, was sent to protect Montreal, with a detachment, it was said, of three thousand men. Summer, which in that climate hurries through the sky, was over; and the British fleet must soon withdraw from the river. "My constitution," wrote the general to Holdernesse, on the ninth, just four days before his death, "is entirely ruined, without the consolation of having done any considerable service to the state, and without any prospect of it."

But, in the mean time, Wolfe applied himself intently to reconnoitring the north shore above Quebec. Nature had given him good eyes, as well as a warmth of temper to

follow first impressions. He himself discovered the cove which now bears his name, where the bending promontories almost form a basin, with a very narrow margin, over which the hill rises precipitously. He saw the path that wound up the steep, though so narrow that two men could hardly march in it abreast; and he knew, by the number of tents which he counted on the summit, that the Canadian post which guarded it could not exceed a hundred. Here he resolved to land his army by surprise. To mislead the enemy, his troops were kept far above the town; while Saunders, as if an attack was intended at Beauport, set Cook, the great mariner, with others, to sound the water and plant buoys along that shore.

1759. The day and night of the twelfth were employed in preparations. The autumn evening was bright; and the general, under the clear starlight, visited his stations, to make his final inspection and utter his last words of encouragement. As he passed from ship to ship, he spoke to those in the boat with him of the poet Gray, and the "Elegy in a Country Churchyard." "I," said he, "would prefer being the author of that poem to the glory of beating the French to-morrow;" and, while the oars struck the river as it rippled in the silence of the night air under the flowing tide, he repeated:—

The boast of heraldry, the pomp of power,
And all that beauty, all that wealth e'er gave,
Await alike the inevitable hour.
The paths of glory lead but to the grave.

Every officer knew his appointed duty, when, at one o'clock in the morning of the thirteenth of September, Wolfe, Monckton, and Murray, and about half the forces, set off in boats, and, using neither sail nor oars, glided down with the tide. In three quarters of an hour the ships followed; and, though the night had become dark, aided by the rapid current, they reached the cove just in time to cover the landing. Wolfe and the troops with him leaped on shore; the light infantry, who found themselves borne by the current a little below the intrenched path, clambered up the steep hill, staying themselves by the roots and

boughs of the maple and spruce and ash trees that covered the precipitous declivity, and, after a little firing, dispersed the picket which guarded the height; the rest ascended safely by the pathway. A battery of four guns on the left was abandoned to Colonel Howe. When Townshend's division disembarked, the English had already gained one of the roads to Quebec; and, advancing in front of the forest, Wolfe stood at daybreak with his invincible battalions on the Plains of Abraham, the battle-field of the Celtic and Saxon races. 1759.

"It can be but a small party, come to burn a few houses and retire," said Montcalm, in amazement, as the news reached him in his intrenchments the other side of the St. Charles; but, obtaining better information, "Then," he cried, "they have at last got to the weak side of this miserable garrison; we must give battle and crush them before mid-day." And, before ten, the two armies, equal in numbers, each being composed of less than five thousand men, were ranged in presence of one another for battle. The English, not easily accessible from intervening shallow ravines and rail-fences, were all regulars, perfect in discipline, terrible in their fearless enthusiasm, thrilling with pride at their morning's success, commanded by a man whom they obeyed with confidence and love. The doomed and devoted Montcalm had what Wolfe had called but "five weak French battalions," of less than two thousand men, "mingled with disorderly peasantry," formed on commanding ground. The French had three little pieces of artillery; the English, one or two. The two armies cannonaded each other for nearly an hour; when Montcalm, having summoned De Bougainville to his aid, and despatched messenger after messenger for De Vaudreuil, who had fifteen hundred men at the camp, to come up before he should be driven from the ground, endeavored to flank the British and crowd them down the high bank of the river. Wolfe counteracted the movement by detaching Townshend with Amherst's regiment, and afterwards a part of the royal Americans, who formed on the left with a double front.

Waiting no longer for more troops, Montcalm led the

French army impetuously to the attack. The ill-disciplined companies broke by their precipitation and the unevenness of the ground; and fired by platoons, without unity. Their adversaries, especially the forty-third and the forty-seventh, where Monckton stood, of which three men out of four were Americans, received the shock with calmness; and after having, at Wolfe's command, reserved their fire till their enemy was within forty yards, their line began a regular, rapid, and exact discharge of musketry. Montcalm was present everywhere, braving danger, wounded, but cheering by his example. The second in command, De Sennezergues, an associate in glory at Ticonderoga, was killed. The brave but untried Canadians, flinching from a hot fire in the open field, began to waver; and, so soon as Wolfe, placing himself at the head of the twenty-eighth and the Louisburg grenadiers, charged with bayonets, they everywhere gave way. Of the English officers, Carleton was wounded; Barré, who fought near Wolfe, received in the head a ball which made him blind of one eye, and ultimately of both. Wolfe, also, as he led the charge, was wounded in the wrist; but, still pressing forward, he received a second ball; and, having decided the day, was struck a third time, and mortally, in the breast. "Support me," he cried to an officer near him; "let not my brave fellows see me drop." He was carried to the rear, and they brought him water to quench his thirst. "They run! they run!" spoke the officer on whom he leaned. "Who run?" asked Wolfe, as his life was fast ebbing. "The French," replied the officer, "give way everywhere." "What," cried the expiring hero, "do they run already? Go, one of you, to Colonel Burton; bid him march Webb's regiment with all speed to Charles River to cut off the fugitives." Four days before, he had looked forward to early death with dismay. "Now, God be praised, I die happy." These were his words as his spirit escaped in the blaze of his glory. Night, silence, the rushing tide, veteran discipline, the sure inspiration of genius, had been his allies; his battle-field, high over the ocean river, was the grandest theatre for illustrious deeds; his victory, one of the most

1759.

momentous in the annals of mankind, gave to the English tongue and the institutions of the Germanic race the unexplored and seemingly infinite west and north. He crowded into a few hours actions that would have given lustre to length of life; and, filling his day with greatness, completed it before its noon.

Monckton, the first brigadier, after greatly distinguishing himself, was shot through the lungs. Townshend, the next in command, recalled the troops from the pursuit; and, when De Bougainville appeared in view, declined a contest with a fresh enemy. But already the hope of New France was gone. Born and educated in camps, Montcalm had been carefully instructed, and was skilled in the language of Homer as well as in the art of war. Laborious, just, disinterested, hopeful even to rashness, sagacious in council, swift in action, his mind was a well-spring of bold designs; his career in Canada, a wonderful struggle against inexorable destiny. Sustaining hunger and cold, vigils and incessant toil, anxious for his soldiers, unmindful of himself, he set, even to the forest-trained red men, an example of self-denial and endurance; and, in the midst of corruption, made the public good his aim. Struck by a musket-ball, as he fought opposite Monckton, he continued in the engagement till, in attempting to rally a body of fugitive Canadians in a copse near St. John's gate, he was mortally wounded. 1759.

On hearing from the surgeon that death was certain, "I am glad of it," he cried; "how long shall I survive?" "Ten or twelve hours, perhaps less." "So much the better; I shall not live to see the surrender of Quebec." To the council of war he showed that in twelve hours all the troops near at hand might be concentrated and renew the attack before the English were intrenched. When De Ramsay, who commanded the garrison, asked his advice about defending the city, "To your keeping," he replied, "I commend the honor of France. As for me, I shall pass the night with God, and prepare myself for death." Having written a letter recommending the French prisoners to the generosity of the English, his last hours were given to the

offices of his religion, and at five the next morning he expired.

The day of the battle had not passed, when De Vaudreuil, who had no capacity for war, wrote to De Ramsay at Quebec not to wait for an assault, but, as soon as his provisions were exhausted, to raise the white flag of surrender. "We have cheerfully sacrificed our fortunes and our houses," said the citizens; "but we cannot expose our wives and children to a massacre." At a council of war, Fiedmont, a captain of artillery, was the only one who wished to hold out to the last extremity; and on the seventeenth of September, before the English had constructed batteries, De Ramsay capitulated.

America rung with exultation; the towns were bright with illuminations, the hills with bonfires; legislatures, the pulpit, the press, echoed the general joy; provinces and families gave thanks to God. England, too, which had shared the despondency of Wolfe, triumphed at his victory and wept for his death. Joy, grief, curiosity, amazement, were on every countenance. When the parliament assembled, Pitt modestly and gracefully put aside the praises that were showered on him. "The more a man is versed in business," said he, "the more he finds the hand of Providence everywhere." "I will own I have a zeal to serve my country beyond what the weakness of my frail body admits of;" and he foretold new successes at sea. November fulfilled his predictions. In that month, Sir Edward Hawke attacked the fleet of Constans off the northern coast of France; and, though it retired to the shelter of shoals and rocks, he gained the battle during a storm at night-fall.

1759.

CHAPTER XV.

INVASION OF THE VALLEY OF THE TENNESSEE. PITT'S ADMINISTRATION CONTINUED.

1759–1760.

THE capitulation of Quebec was received by Townshend as though the achievement had been his own; and his official report of the battle left out the name of Wolfe, whom he indirectly censured. He had himself come over for a single summer's campaign, to be afterwards gloried about and rewarded. As he hurried from the citadel, which he believed untenable, back to the secure gayeties of London, Charles Paxton, an American by birth, one of the revenue officers of Boston, ever on the alert to propitiate members of the government and men of influence with ministers, purchased his future favor, which might bring with it that of his younger brother, by lending him money that was never to be repaid. 1759.

Such was the usage of those days. Officers of the customs gave as their excuse for habitually permitting evasions of the laws of trade that it was their only mode of getting rich; for they were "quartered upon" by their English patrons for more than the amount of all their honest perquisites. Townshend returned home, to advocate governing America by concentrating power in England; and, like Braddock, Sharpe, Shirley, Abercrombie, Loudoun, Amherst, Gage, and so many more of his profession, to look upon taxation of the colonies by the metropolis as the discharge of a necessary duty.

In Georgia, Ellis, the able governor, who had great influence in the public offices, was studying how the colonies could be administered by the central authority. In South Carolina, Lyttelton persuaded himself that he had restored

the royal sway; yet the fruits of his administration were distrust and discontent. The arbitrary manner in which he had suspended a councillor had even made it a matter of pride with the planters of Carolina not to accept appointments to the royal council; and their loyalty was requited by insolence, more grievous than oppression.

While victory protected the northern frontiers, the south would have enjoyed unbroken repose but for Lyttelton, who at once contended with South Carolina "to regain the powers of government which his predecessors," as he said, "had unfaithfully given away," and awakened an Indian war by his zeal for reducing the native mountaineers to his own criminal code. He could not discern in the red man's morals the eternal principles which inspire all justice; and, as he brought the maxims of civilized society into conflict with the unwritten law of the Cherokees, the European rule proved the most treacherous and cruel.

The Cherokees had heretofore been in friendship with the English, as Virginia acknowledged in 1755 by a deputation with a present. In 1757, their warriors had volunteered to protect the frontier south of the Potomac; yet, after they had won trophies in the general service, they were disregarded by the state, and would have been left to return without reward, or even supplies of food, but for the generosity of Washington and his officers.

The parties which in the following year joined the expedition to the Ohio were neglected, so that their hearts told them to return to their cherished highlands. In July, 1758, the backwoodsmen of Virginia, finding that their half-starved allies took what they needed on their way home, seized their arms; and, in three skirmishes, several of the "beloved men" of the Cherokees were slain and scalped.

The wailing of the women for their deceased relatives, at the dawn of each day and at the gray of the evening, provoked the nation to retaliate. "The blood of your beloved kinsmen calls for revenge," cried the Muskohgees; and the chiefs of the Cherokees sent out their young men to take what they deemed such just and equal vengeance as became good warriors. The upland settlements of North Carolina

ceased to be safe; of the garrison at Tellico, two soldiers fell victims.

In November, 1758, Tiftoe and five other chieftains came down from their mountains to Charleston, to reconcile differences and treat of an amnesty. The old covenant between them and the English, of which one of the clauses stipulated that murderers should be given up, was revived; they accepted presents to cover up their losses, and gave pledges of inviolable peace. Before the return of the delegates of the remote upper towns, warriors of Settico on the Tennessee and of Tellico had been out on the Yadkin and the Catawba, beyond the jurisdiction of South Carolina; but the Cherokee chiefs interposed to recall them, and soothed their anger. Aggression and equal revenge having reciprocally done their work, harmony seemed to be restored.

The legislators of Carolina, meeting at Charleston in March, 1759, refused to consider hostilities with the Cherokees as existing or to be apprehended; but Lyttelton set aside their decision as an invasion of the prerogative, which alone could treat of peace or war. He next made a demand on the head men and warriors of the towns on the branches of the Tennessee, to "give him satisfaction for the past," "by which," as he explained, was "meant that a certain number of Cherokees guilty of the murders should be delivered up or be put to death in their nation." "This would only make bad worse," answered the red men; "the great warrior will never consent to it;" at the same time they entreated peace. "We live at present in great harmony," wrote Demeré from Fort Loudoun; "and there are no bad talks." 1759.

Tranquillity and confidence were returning; but, in obedience to orders, Demeré insisted on the surrender or execution of the offending chiefs of Settico and Tellico, while Coytmore, at Fort Prince George, intercepted all ammunition and merchandise on their way to the upper nation. Consternation spread along the mountain-sides; the hand of the young men grasped at the tomahawk; the warriors spoke much together concerning Settico and Tellico, and hostile

speeches went round. Still they despatched to Charleston a letter with friendly strings of wampum; while the middle and the lower settlements, which had taken no part in the expedition complained of, sent their belts of white shells.

1759. But Lyttelton, dreading some concert of the Cherokees with the Creeks, rigorously enforced the interruption of trade as a chastisement; and haughtily added: "If you desire peace with us, and will send deputies to me as the mouth of your nation, I promise you, you shall come and return in safety."

The Indians had become dependent on civilization; and to withhold supplies was not only like a general embargo, but also like disarming a nation. The English, said they, would leave us defenceless, that they may utterly destroy us. Belts circulated more and more among the villages. They feared the worst, and narrowly watched the roads, that no white man might pass. "We have nothing to do," said some among them, wild with rage, "but to kill the white people here, and carry their scalps to the French, who will supply us with plenty of ammunition and every thing else." The nation was, however, far from being united against the English; a large number of towns were even ready, if they had been encouraged, to fight on their side; but the general distrust announced the approach of war.

Lyttelton, hurried on by zeal to display authority, and eager to gain the glory of conducting an unusual expedition against the Cherokees, instantly gave orders to the colonels of three regiments of militia nearest the frontier to fire an alarm and assemble their corps; called out all the regulars and provincials in Charleston; asked aid of the governors of Georgia and North Carolina; invited Virginia to send re-enforcements and supplies to Fort Loudoun by the road from that province; sought the active alliance of the Chickasaws as ancient enemies to the French; of the Catawbas, the Tuscaroras, and even the Creeks, whose hostility he pretended to have feared; and then convening the legislature, on the fifth of October addressed a message to the assembly for supplies. Aware of his intentions to make a declaration of war, they addressed him against so precipi-

tate a measure, "unanimously desiring him to defer it." He readily consented, promising that "he would do nothing to prevent an accommodation;" on which the assembly made grants of money, and provided for calling fifteen hundred men into service, if necessary. The perfidious governor reproved them for the scantiness of the supply; and breaking his promise, not yet a day old, he added that "he should persevere in his intended measures."

On the twelfth of October, he ordered the alarm to be fired in all parts of the province where it had not been before; and "one half of the militia was drafted to be in readiness to repel any invasion or suppress any insurrection that might happen during his absence." 1759.

But hardly had the word been spoken, when, on the seventeenth of October, a deputation from the upper and lower towns, Oconostata the great warrior himself, with thirty other of the most honored men, relying on their safe conduct from the governor, arrived in Charleston to deplore all deeds of violence, and to say that their nation truly loved peace. Bull, the lieutenant-governor, urged the wisdom of making an agreement, before more blood should be spilt.

"I am come," said Oconostata in council, on the eighteenth, "to hearken to what you have to say, and to deliver words of friendship." But Lyttelton would not speak to them, saying: "I did not invite you to come down; I only permitted you to do so; therefore, you are to expect no talk from me, till I hear what you have to say."

The next day, the proud Oconostata condescended to recount what had been ill done; explained its causes; declared that the great civil chief of the Cherokees loved and respected the English; and making an offering of deer-skins, and pleading for a renewal of trade, he added for himself: "I love the white people; they and the Indians shall not hurt one another; I reckon myself as one with you."

Tiftoe of Keowee complained of Coytmore, the officer in command at Fort Prince George, as intemperate and licentious, but still he would hold the English fast by the hand. The head warrior of Estatoe would have "the trade

go on, and no more blood spilt." Killianaca, the Black Dog of Hiwassie, was able to say that no English blood had ever been spilt by the young men of his village; and he gave assurances of peace from all the towns in his region. But the governor, in spite of the opposition of four of his council, went on. "I am now going with a great many of my warriors to your nation," said he finally to the deputies, "in order to demand satisfaction. If you will not give it, when I come, I shall take it."

Oconostata, and those with him, claimed for themselves the benefit of the safe conduct under which they had come down. And Lyttelton spoke, concealing his purpose under words more false than the wiles of the savage: "You, Oconostata, and all with you, shall return in safety to your own country; and it is not my intention to hurt a hair of your head. There is but one way by which I can insure your safety; you shall go with my warriors, and they shall protect you."

1759. On Friday, the twenty-seventh, Lyttelton, with the Cherokee envoys, left Charleston to repair to Congaree, the gathering-place for the militia of Carolina. Thither came Christopher Gadsden, born in 1724, long the colonial representative of Charleston, dear to his constituents; at whose instance, and under whose command, an artillery company had just been formed, in a province which till then had not had a mounted field-piece. There, too, was the heroic Francis Marion, as yet an untried soldier, just six-and-twenty, the youngest of five sons of an impoverished planter; reserved and silent; small in stature, and of a slender frame; so temperate that he drank only water; elastic, persevering, and of sincerest purity of soul. Yet the state of the troops, both as to equipments and temper, was such as might have been expected from the suddenness of their summons to take the field, against the judgment of their legislature. It was still hoped that there would be no occasion to make use of them. Before leaving Congaree, Oconostata and his associates, though their persons were sacred by the laws of savage and of civilized man, were arrested; and, on arriving at Fort

Prince George, they were crowded into a hut hardly large enough for six of them.

To Attakulla-kulla, the Little Carpenter, an old man, who in 1730 had been in England, but now had little influence with the tribe, Lyttelton, on the eighteenth day of December, 1759, pronounced a very long speech, rehearsing the conditions of their treaty. "There are twenty-four men of your nation," said he, "whom I demand to be delivered up to me, to be put to death, or otherwise disposed of, as I shall think fit. Your people have killed that number of ours, and more; and therefore that is the least I will accept of. I shall give you till to-morrow morning to consider of it, and then I shall expect your answer." "I have ever been the firm friend of the English," answered the chief; "I will ever continue so; but, for giving up the men, we have no authority one over another."

Yet after the governor had exchanged Oconostata and one or two more for other Indians, he sent again to Attakulla-kulla, and on the twenty-sixth of December procured the signature of six Cherokees to a treaty of peace, which seemed to sanction the governor's retaining the imprisoned envoys as hostages, till four-and-twenty men should be delivered up to undergo punishment for the murders. It was further covenanted that the French should not be received in their towns, and that the English traders should be safe.

This treaty was not made by chiefs duly authorized, nor ratified in council; nor could Indian usage give effect to its conditions. Hostages are unknown in the forest, where prisoners are slaves. No one was deceived. Lyttelton, in fact, had with profligate falsehood violated the word he had plighted, and retained in prison the ambassadors of peace, true friends to the English, "the beloved men," of the Cherokees, who had come to him under his own safe conduct. And yet he gloried in having obtained concessions such as savage man had never before granted; and, returning to Charleston, he took to himself the honor of a triumphant entry.

The Cherokees longed to secure peace; but the young

braves, whose names were already honored in the glades of Tennessee, could not be surrendered to death or servitude; and Oconostata resolved to rescue the hostages. The commandant at Fort Prince George was allured to a dark thicket by the river side, and was shot by Indians in an ambush. The garrison, in their anger, butchered every one of their unfortunate prisoners.

At the news of the massacre, the villages, of which there was scarce one that did not wail for a chief, quivered with anger, like a chafed rattlesnake in the heats of midsummer. The "spirits," said they, "of our murdered brothers are flying around us, screaming for vengeance." The mountains echoed the war-song; and the braves dashed upon the frontiers for scalps, even to the skirts of Ninety-Six. In their attack on that fort, several of them fell. "We fatten our dogs with their carcasses," wrote Francis to Lyttelton; "and display their scalps, neatly ornamented, on the tops of our bastions." Yet Fort Loudoun, on the Tennessee, was exposed to the savages, beyond the reach of succor. From Louisiana the Cherokees obtained military stores; and, extending their alliance, they exchanged with the restless Muskohgees the swans' wings painted with red and black, and crimsoned tomahawks, that were the emblems of war.

Carolina was now in conflict with the mountaineers. Yet, at the meeting of the legislature in February,
1760. 1760, the delegates, still more alarmed at the unwarrantable interference of Lyttelton with the usages of colonial liberty, first of all vindicated "their birthrights as British subjects," and resisted "the violation of undoubted privileges." But no governor was more esteemed by the lords of trade; they never could find words strong enough to express their approbation of his whole conduct. His zeal for the prerogative, and his connections in England, gained him advancement; and he was not only transferred from South Carolina to the more lucrative government of Jamaica, but directed to return home to receive his instructions, — a direction which implied a wish of the board of trade to consult him on questions of colonial administration.

In April, General Amherst, whose thoughts were all intent upon Canada, detached from the central army that had conquered Ohio six hundred Highlanders and six hundred royal Americans under Colonel Montgomery, afterwards Lord Eglinton, and Major Grant, to strike a sudden blow at the Cherokees and return. At Ninety-Six, near the end of May, they joined seven hundred Carolina rangers, among whom Moultrie, and, as some think, Marion, served as officers.

On the first day of June, the little army, after a 1760.
march of eighteen miles from Beaver Dams, crossed Twelve-mile River; and, leaving their tents standing on advantageous ground, at eight in the evening they moved onward through the woods to surprise Estatoe, which was twenty-five miles distant. The baying of a watch-dog alarmed the village of Little Keowee, when the English rushed upon its people, and killed nearly all except women and children.

Early in the morning, they arrived at Estatoe, which its inhabitants had but just abandoned, leaving their mats still warm. The vale of Keowee is famed for its beauty and fertility, extending for seven or eight miles, till a high, narrow ridge of hills comes down on each side to the river. Below the ridge it opens again for ten or twelve miles more. This lovely region was the delight of the Cherokees; on the sides of the adjacent hills stood their habitations, and the rich level ground beneath bore their fields of maize, all clambered over by the prolific bean. The mountain-sides blushed with flowers in their season, and resounded with the melody of birds. The river now flowed in gentle meanders, now with arrowy swiftness, between banks where the strawberry mixed its crimson with the verdure, or beat against the hills that rose boldly in cones upon the border of the interval, and were the abutments of loftier mountains. Every village of the Cherokees within this beautiful country, Estatoe, Qualatchee, and Conasatchee with its stockaded town-house, was first plundered and then destroyed by fire. The Indians were plainly observed on the tops of the mountains, gazing at the flames. For years, the half-charred

rafters of their dwellings might be seen on the desolate hillsides. "I could not help pitying them a little," writes Grant; "their villages were agreeably situated; their houses neatly built; there were everywhere astonishing magazines of corn, which were all consumed." The surprise was in every town almost equal, for the whole was the work of a few hours; the Indians had no time to save even what they valued most, but left for the pillagers money and watches, wampum and skins. From sixty to eighty Cherokees were killed; forty, chiefly women and children, were made prisoners. Those who escaped could live only on horse-flesh and wild roots, or must fly over the mountains.

Resting at Fort Prince George, Montgomery sent Tiftoe and the old warrior of Estatoe through the upper and middle town, to summon their head men to treat of peace, or all the towns in the upper nation should be reduced to ashes. But the chiefs of the Cherokees gave no heed to the message; and the British army prepared to pass the barriers of the Alleghany.

1760. From the valley of Keowee, Montgomery, on the twenty-fourth day of June, 1760, began his march, and at night encamped at the old town of Oconee. The next day, he passed from the vale of the Seneca River over the Oconee Mountain, and encamped at the War-Woman's Creek. On the twenty-sixth, he crossed the Blue Ridge at the Rabun Gap, and made his encampment at the deserted town of Stecoe. The royal Scots and Highlanders trod the rugged and dangerous defiles with fearless alacrity, and seemed refreshed by coming into the presence of mountains.

On the morning of the twenty-seventh, the whole party began their march early, having a distance of eighteen miles to travel to the town of Etchowee, the nearest of the middle settlements of the Cherokees. "Let Montgomery be wary," wrote Washington; "he has a subtle enemy, that may give him most trouble when he least expects it." The army passed down the valley of the Little Tennessee, along the mountain stream which, taking its rise in Rabun county in Georgia, flows through Macon county in North Carolina. Not far from Franklin, their path lay along the muddy

river with its steep, clay banks, through a plain covered with the dense thicket, overlooked on one side by a high mountain, and on the other by hilly, uneven ground. At this narrow pass, which was then called Crow's Creek, the Cherokees emerged from an ambush. Morrison, a gallant officer, was killed at the head of the advanced party. But the Highlanders and provincials drove the enemy from their lurking-places; and, returning to their yells three huzzas and three waves of their bonnets and hats, they chased them from height and hollow. At the ford, the army passed the river; and protected by it on their right, and by a flanking-party on the left, treading a path sometimes so narrow that they were obliged to march in Indian file, fired upon from the rear, and twice from the front, they were not collected at Etchowee till midnight, and after a loss of twenty men, besides seventy-six wounded.

For one day, and one day only, Montgomery rested in the heart of the Alleghanies. If he had advanced to relieve the siege of Fort Loudoun, he must have abandoned his wounded men and his baggage. On the following night, deceiving the Cherokees by kindling lights at Etchowee, the army retreated; and, marching twenty-five miles, they never halted till they came to War-Woman's Creek, an upland tributary of the Savannah. On the thirtieth, they crossed the Oconee Mountain, and on the first day of July reached Fort Prince George. 1760.

The retreat of Montgomery was the abandonment of the famished Fort Loudoun. By the unanimous resolve of the officers, James Stuart, afterwards Indian agent for the southern division, repaired to Chotee, and agreed on terms of capitulation, which neither party observed; and, on the morning of the eighth of August, Oconostata himself received the surrender of the fort, and sent its garrison of two hundred on their way to Carolina. The next day, at Telliquo, the fugitives were surrounded; Demeré and three other officers, with twenty-three privates, were killed. The Cherokee warriors were very exact in that number, as being the amount of hostages who had been retained by Lyttelton in the previous December. The rest were brought back

and distributed among the tribes. Their English prisoners, including captives carried from the back settlements of North and South Carolina, were thought to have amounted to near three hundred souls.

But friendship lives in the heart of the savage. Listen to the tale of a red man's fidelity. Attakulla-kulla, hearing that Stuart, his friend, was a prisoner, hastened to ransom him, by giving every thing he could command; and when Oconostata, in a great council at Chotee, would have compelled the assistance of the English agent in the proposed siege of Fort Prince George, the Little Carpenter took him away as if to hunt for venison, and struck through the wilderness for Virginia. Nine days and nights they travelled, with such game as they killed for their food, with the light in the sky for their guide, through gaps rarely trodden even by wild beasts, for the beasts of the forest pick their paths; on the tenth day, they met a detachment of Virginians on Holston River.

Having fulfilled the letter of his instructions by reaching the country of the Cherokees, Montgomery, slighting the unanimous entreaty of the general assembly for protection of the back settlements, and leaving only four companies of royal Scots, embarked in all haste for Halifax by way of New York. And afterwards, in his place in the house of commons, he acted with those who thought the Americans factious in peace and feeble in war.

Ellis, the governor of Georgia, wiser than Lyttelton, secured the good-will of the Creeks.

CHAPTER XVI.

POSSESSION TAKEN OF MICHIGAN AND THE COUNTRY ON THE LAKES. PITT'S ADMINISTRATION CONTINUED.

1760.

Had Amherst been more active, the preceding campaign would have reduced Canada. His retreat to Crown Point gave De Levi, Montcalm's successor, a last 1760. opportunity of concentrating the remaining forces of France at Jacques Cartier for the recovery of Quebec. In that city, Saunders had left abundant stores and heavy artillery, with a garrison of seven thousand men, under the command of the brave but shallow Murray. When De Levi found it impossible to surprise the place in midwinter, he still resolved on undertaking its reduction. George Townshend, now in England, publicly rejected the opinion "that it was able to hold out a considerable siege;" and Murray, preparing for "the last extremity," selected the Isle of Orleans as his refuge.

As soon as the river opened, De Levi proceeded, with an army of less than ten thousand men, to besiege Quebec. On the twenty-eighth of April, the vain-glorious governor, marching out from the city, left the advantageous ground which he first occupied, and incautiously hazarded an attack near Sillery Wood. The advance-guard, under De Bourlamarque, met the shock with firmness, and returned the attack with ardor. In danger of being surrounded, Murray was obliged to fly, leaving "his very fine train of artillery," and losing a thousand men. The French appear to have lost about three hundred, though Murray's report increased it more than eight-fold. During the two next days, De Levi opened trenches against the town; but the frost de-

layed the works. The English garrison, reduced to twenty-two hundred effective men, exerted themselves with alacrity. Women, and even cripples, were set to light work. In the French army, not a word would be listened to of the possibility of failure. But Pitt's sagacity had foreseen and prepared for all. A fleet at his bidding was on its way to relieve the city; and to his wife he was able to write in June: "Join, my love, with me, in most humble and grateful thanks to the Almighty. The siege of Quebec was raised on the seventeenth of May, with every happy circumstance. The enemy left their camp standing, abandoned forty pieces of cannon. Swanton arrived there in the 'Van-
1760. guard' on the fifteenth, and destroyed all the French shipping, six or seven in number. Happy, happy day! My joy and hurry are inexpressible."

Amherst had been notified of the intended siege; but he persevered in his systematic and tardy plan. When the spring opened, he had no difficulties to encounter in taking possession of Canada but such as he himself should create. A country suffering from a four years' scarcity, a disheartened peasantry, five or six battalions, wasted by incredible services, and not recruited from France, offered no opposition. The party which was conducted from Crown Point towards Montreal, by Colonel Haviland, found the fort on Isle-aux-Noix deserted. Amherst himself led the main army of ten thousand men by way of Oswego; it is not easy to say why, for the labor of getting there was greater than that of proceeding directly upon Montreal. After toiling to Oswego, he descended the St. Lawrence cautiously, taking possession of the feeble works at Ogdensburg: treating the helpless Canadians with humanity, and with no loss of lives except in passing the Rapids, on the seventh of September he met before Montreal the army under Murray, who, as he came up from Quebec, had intimidated the people and amused himself by now and then burning a village and hanging a Canadian. The next day, Haviland arrived with forces from Crown Point. Thus the three armies came together in overwhelming strength to take an open town of a few hundred inhabitants, which

Vaudreuil had resolved to give up on the first appearance of the English; and, on the eighth day of September, the flag of St. George floated in triumph on the 1760. gate of Montreal, the admired island of Jacques Cartier, the ancient hearth of the council-fires of the Wyandots, the village consecrated by the Roman church to the Virgin Mary, a site connected by rivers and lakes with an inland world, and needing only a milder climate to be one of the most attractive spots on the continent. The capitulation included all Canada, which was said to extend to the crest of land dividing branches of Erie and Michigan from those of the Miami, the Wabash, and the Illinois Rivers. Property and religion were cared for in the terms; but for civil liberty no stipulation was thought of. Canada, under the forms of a despotic administration, came into the possession of England by conquest; and in a conquered country the law was held to be the pleasure of the king.

On the fifth day after the capitulation, Rogers departed with two hundred rangers to carry English banners to the upper posts. From Erie, in the chilly days of November, they went forward in boats, being the first considerable party of men whose tongue was the English that ever spread sails on Lake Erie. The Indians on the lakes were at peace, united under Pontiac, the great chief of the Ottawas, happy in a country fruitful of corn and abounding in game. The Americans were met at the mouth of a river by a deputation of Ottawas from the west. "Pontiac," said they, "is the chief and lord of the country you are in; wait till he can see you with his own eyes."

When Pontiac and Rogers met, the savage chieftain asked: "How have you dared to enter my country without my leave?" "I come," replied the English agent, "with no design against the Indians, but to remove the French out of your country;" and he gave the wampum of peace. But Pontiac returned a belt, which arrested the march of the party, till his leave should be granted.

The next day, the chief sent presents of bags of parched corn, and at a second meeting smoked the calumet with the American leader, inviting him to pass onward unmo-

lested, with an escort of warriors to assist in driving his herd of oxen along the shore. The tribes south-east of Erie were told that the strangers came with his consent; yet, while he studied to inform himself how wool could be changed into cloth, how iron could be extracted from
1760. the earth, how warriors could be disciplined like the English, he spoke as an independent prince, who would not brook the presence of white men within his dominions but at his pleasure.

After this interview, Rogers hastened to the straits which connect Erie and St. Clair, and took possession of Detroit. Thus was Michigan won by Great Britain.

England began hostilities for Nova Scotia and the Ohio. These she had secured, and had added Canada and Guadaloupe. "I will snatch at the first moment of peace," said Pitt. "The desire of my heart," said George II. to parliament, "is to see a stop put to the effusion of blood;" and the public mind was discussing how far the conquests should be retained. So great a subject of consideration had never before presented itself to British statesmen.

"We have had bloodshed enough," urged Pulteney, Earl of Bath, who, when in the house of commons, had been cherished in America as the friend of its liberties, and who now in his old age pleaded for the termination of a truly national war by a solid and reasonable peace. "Our North American conquests," said he to Pitt and Newcastle, and to the world, "cannot be retaken. Give up none of them, or you lay the foundation of another war. Unless we would choose to be obliged to keep great bodies of troops in America, in full peace, we can never leave the French any footing in Canada. Not Senegal and Goree, nor even Guadaloupe, ought to be insisted upon as a condition of peace, provided Canada be left to us." Such seemed "the infinite consequence of North America," which, by its increasing inhabitants, would consume British manufactures; by its trade, employ innumerable British ships; by its provisions, support the sugar islands; by its products, fit out the whole navy of England.

Peace, too, was to be desired in behalf of England's ally,

the only Protestant sovereign in Germany who could preserve the privileges of his religion from being trampled under foot. "How calmly," said Bath, "the king of Prussia possesses himself under distress! how ably he can extricate himself!" having "amazing resources in his own unbounded genius." "The warm support of the Protestant nation" of Great Britain must be called forth, or "the war begun to wrest Silesia from him" would, "in the end, be found to be a war" to "overturn the liberties and religion of Germany." Peace was, moreover, to be solicited from love to political freedom. The increase of the 1760. navy, army, and public debt, and the consequent influence of the crown, were "much too great for the independency of the constitution."

The generous and wise sentiments of the Earl of Bath were acceptable to the people of England. But William Burke, the kinsman and friend, and often the associate, of Edmund Burke, found arguments for retaining Guadaloupe in the opportunity it would afford of profitable investment, the richness of the soil, the number of its slaves, the absence of all rivalry between England and a tropical island. Besides, he added, "if the people of our colonies find no check from Canada, they will extend themselves almost without bound into the inland parts. They will increase infinitely from all causes. What the consequence will be, to have a numerous, hardy, independent people, possessed of a strong country, communicating little or not at all with England, I leave to your own reflections."

"By eagerly grasping at extensive territory, we may run the risk, and in no very distant period, of losing what we now possess. A neighbor that keeps us in some awe is not always the worst of neighbors. So that, far from sacrificing Guadaloupe to Canada, perhaps, if we might have Canada without any sacrifice at all, we ought not to desire it. There should be a balance of power in America." And the writer revealed his connections by advising that, as the war had been "an American war," "Lord Halifax," one of the "few" whom "inclinations, studies, opportunities, and talents had made perfectly masters of the state

and interests of the colonies," should be appointed to negotiate peace.

1760. Private letters from Guadaloupe gave warning that a country of such vast resources, and so distant as North America, could never remain long subject to Britain. The acquisition of Canada would strengthen America to revolt. "One can foresee these events clearly," said the unnamed writer; "it is no gift of prophecy. It is a natural and unavoidable consequence, and must appear so to every man whose head is not too much affected with popular madness or political enthusiasm. The islands, from their weakness, can never revolt; but, if we acquire all Canada, we shall soon find North America itself too powerful and too populous to be governed by us at a distance."

If Canada were annexed, "the Americans," it was objected in conversation, "would be at leisure to manufacture for themselves, and throw of their dependence on the mother country."

On the other side, Benjamin Franklin, having many in England and all reflecting men in his native land for his hearers, defended the annexation of Canada as the only mode of securing America. The Indians, from the necessity of commerce, would cease to massacre the planters, and cherish perpetual peace. There would be no vast inland frontier to be defended against France, at an incalculable expense. The number of British subjects would, indeed, increase more rapidly than if the mountains should remain their barrier; but they would be more diffused, and their employment in agriculture would free England from the fear of American manufactures.

"With Canada in our possession," he remarked, "our people in America will increase amazingly. I know that their common rate of increase is doubling their numbers every twenty-five years, by natural generation only, exclusive of the accession of foreigners. This increase continuing would, in a century more, make the British subjects on that side the water more numerous than they now are on this." Should the ministry surrender their own judgment to the fears of others, it would "prevent the assuring to the

British name and nation a stability and permanency that no man acquainted with history durst have hoped for, till our American possessions opened the pleasing prospect."

To the objection that England could supply only the sea-coast, that the inhabitants of the interior must manufacture for themselves, Franklin evoked from futurity the splendid vision of wide navigation on the great rivers and inland seas of America. Even the poor Indian on Lake Superior was already able to pay for wares furnished from French and English factories; and would not industrious farmers, hereafter settled in those countries, be better able to pay for what should be brought them?

"The trade to the West India Islands," he continued, "is undoubtedly a valuable one; but it has long been at a stand. The trade to our northern colonies is not only greater, but yearly increasing with the increase of people; and even in a greater proportion, as the people increase in wealth." 1760.

"That their growth may render them dangerous I have not the least conception. We have already fourteen separate governments on the maritime coast of the continent, and shall probably have as many more behind them on the inland side. Their jealousy of each other is so great they have never been able to effect a union among themselves, nor even to agree in requesting the mother country to establish it for them. If they could not agree to unite for their defence against the French and Indians, who were perpetually harassing their settlements, burning their villages, and murdering their people, is there any danger of their uniting against their own nation, which they all love much more than they love one another?

"Such a union is impossible, without the most grievous tyranny and oppression. People who have property in a country which they may lose, and privileges which they may endanger, are generally disposed to be quiet, and even to bear much, rather than hazard all. While the government is mild and just, while important civil and religious rights are secure, such subjects will be dutiful and obedient. The waves do not rise but when the winds blow."

Thus Franklin offered the great advice which sprung from his love of English freedom and his truly American heart.

1760. Appealing also to the men of letters, he communed with David Hume on the jealousy of trade; and shared the more agreeable system of economy that promised to the world freedom of commerce, and mutual benefits from mutual prosperity. He rejoiced that the great master of English historic style loved to promote by his writings that common good of mankind, which the American, inventing a new form of expression, called "the interest of humanity;" and he summoned before the mind of the Scottish philosopher that audience of innumerable millions which a century or two would prepare in America for all who should use English well. England cheerfully and proudly accepted the counsels which his magnanimity inspired. Promising herself wealth from colonial trade, she was also occupied by the thought of filling the wilderness, instructing it with the products of her intelligence, and blessing it with free institutions. Homer sang from isle to isle; the bards of England would find "hearers in every zone," and in the admiration of genius continent respond to continent.

Pitt would not weigh the West India Islands against half a hemisphere; he desired to retain them both, but, being overruled in the cabinet, he held fast to Canada. The liberties of the English in America were his delight; he made it his glory to extend the boundaries throughout which they were to be enjoyed; and yet at that very time the board of trade retained the patronage and internal administration of the colonies, and were persuaded more than ever of the necessity of radical changes in the government in favor of the central authority. While they waited for peace as the proper season for their interference, Thomas Pownall, the governor of Massachusetts, a statesman who had generous feelings, but no logic, flashes of sagacity, but no clear comprehension, who from inclination associated with liberal men, even while he framed plans for strengthening the prerogative, affirmed, and many times reiterated, that the independence of America was certain, and near at

hand. "Not for centuries," replied Hutchinson, who knew the strong affection of New England for the home of its fathers.

But the lords of trade shared the foreboding. In every province, the people, from design or from their nature and position, seemed gradually confirming their sway. Virginia, once "so orderly," had assumed the right of equitably adjusting the emoluments secured by law to the church. In 1759, Sherlock, then bishop of London, had confided his griefs to the board of trade, at "the great change in the temper of the people of Virginia." "It is surely high time," said he, "to look about us and consider of the several steps lately taken to the diminution of the prerogative of the crown. The rights of the clergy and the authority of the king must stand or fall together."

"Connecticut," wrote a royalist churchman, in July, 1760, to Secker, the archbishop of Canterbury, 1760. "Connecticut is little more than a mere democracy; most of them upon a level, and each man thinking himself an able divine and politician;" and, to make them "a good sort of people," he urged upon Halifax and Pitt that "the church should be supported," "and the charters of that colony, and of its eastward neighbors, be demolished." "The present republican form of those governments was indeed pernicious. The people were rampant in their high notions of liberty, and thence perpetually running into intrigue and faction;" and he advocated an act of parliament establishing one model for all America. As "a principle of union," a viceroy, or lord-lieutenant, was to be appointed, with a council of two from each province, like the Amphictyons of Greece, to consult for union, stability, and the good of the whole; and, "there being the strongest connection between fearing God and honoring the king," "prayer" was made for "bishops, at least two or three."

In the winter after the taking of Quebec, the rumor got abroad of the fixed design in England to remodel the provinces. Many officers of the British army expressed the opinion openly, that America should be compelled to yield a revenue at the disposition of the crown. Some of them,

at New York, suggested such a requisition of quit-rents as would be virtually a general land-tax, by act of parliament. "While I can wield this weapon," cried Livingston, the large landholder, grasping his sword, "England shall never get it but with my heart's blood." In the assembly at New York, which had been chosen in the previous year, the popular party was strengthened by those who battled with Episcopacy; and the Livingstons, descendants of Scottish
1760. Presbyterians, were recognised as its leaders. Of these were Philip, the popular alderman, a merchant of New York; and William, who represented his brother's manor, a scholar, and an able lawyer, the incorruptible advocate of civil and religious liberty, in manners plain, by his nature republican. Nor may Robert R. Livingston, of Duchess county, be forgotten, an only son, heir to very large estates, a man of spirit and honor, keenly sensitive to right, faultless as a son, a son-in-law, a husband, possessing a gentleness of nature and a candor that ever endeared him to the friends of freedom.

In the opinion of Cadwallader Colden, the president of the council, "the democratical or popular part" of the American constitution "was too strong for the other parts, and in time might swallow them both up, and endanger the dependence of the plantations on the crown of Great Britain." His remedies were "a perpetual revenue," fixed salaries, and "an hereditary council of privileged landholders, in imitation of the lords of parliament." At the same time, he warned against the danger of applying a standing revenue to favorites, or bestowing beneficial employments on strangers alone, to the great discouragement of the people of the plantations. Influenced by a most "favorable opinion" of Colden's "zeal for the rights of the crown," Lord Halifax conferred on him the vacant post of lieutenant-governor of New York.

In the neighboring province of New Jersey, Francis Bernard, as its governor, a royalist, selected for office by Halifax, had from 1758, the time of his arrival in America, been brooding over the plans for enlarging royal power, which he afterwards reduced to form. But Pennsylvania,

of all the colonies, led the van of what the royalists called "Democracy." Its assembly succeeded in obtaining its governor's assent to their favorite assessment bill, by which the estates of the proprietaries were subjected to taxation. They revived and continued for sixteen years their excise, which was collected by officers of their own appointment; and they kept its "very considerable" proceeds solely and entirely at their own disposal. By other bills they took from the governor influence over the judiciary, by making good behavior its tenure of office. Maryland repeated the same contests, and adopted the same policy.

Already the negative had been wrested from the council of Pennsylvania, and from the proprietaries themselves. The latter, therefore, in March, 1760, ap- 1760. pealed to the king against seventeen acts that had been passed in 1758 and 1759, "as equally affecting the royal prerogative, their chartered immunities, and their rights as men." When in May, 1760, Franklin appeared with able counsel to defend the liberties of his adopted home before the board of trade, he was encountered by Pratt, the attorney-general, and Charles Yorke, the son of Lord Hardwicke, then the solicitor-general, who appeared for the prerogative and the proprietaries. Of the acts complained of, it was held that some "were unjust to the private fortunes of the Penns," and all, by their dangerous encroachments, "fatal to the constitution in a public consideration." In behalf of the people, it was pleaded that the consent of the governor, who was the deputy of the proprietaries, included the consent of his principals. To this it was replied, that his consent was fraudulent, for the amount of his emoluments had depended on his compliance; that it was subversive of the constitution for the assembly first to take to themselves the supervision of the treasure, and then to employ it to corrupt the governor. Even the liberal Pratt, as well as Yorke, "said much of the intention to establish a democracy, in place of his majesty's government," and urged upon "the proprietaries their duty of resistance." The lords of trade found that in Pennsylvania, as in every other colony, "the delegates far exceeded the

largest claims of the house of commons, not only by raising the money, but by investing themselves with the sole application of it, and usurping by this means the most valuable prerogative of the executive power." The board, 1760. therefore, in June, assured the cabinet ministers that "experience had shown how vain it was to negotiate away his majesty's authority, since every new concession became a foundation for some new demand, and that of some new dispute;" and they recommended that "the constitution should be brought back to its proper principles, to restore to the crown, in the person of the proprietaries, its just prerogative, to check the growing influence of assemblies by distinguishing, what they are perpetually confounding, the executive from the legislative power."

When, in July, the subject was discussed before the privy council, Lord Mansfield made the extraordinary motion, "that the attorney and solicitor general be instructed to report their opinion whether his majesty could not disapprove of parts of an act and confirm other parts of it;" but so violent an attempt to extend the king's prerogative, at the expense of the people of the colonies and the proprietaries, met with no favor.

At last, of the seventeen acts objected to, the six which encroached most on the executive power were negatived by the king; but by the influence of Lord Mansfield, and against the advice of the board of trade, the assessment bill, which taxed the estates of the proprietaries, was made the subject of an informal capitulation between them and the agent of the people of Pennsylvania, and was included among those that were confirmed.

There were two men in England whose relation to these transactions is especially memorable: Pitt, the secretary of state for America; and Edmund Burke, a man of letters, at that time in the service of William Gerard Hamilton, the colleague of Lord Halifax. Burke shared the opinions of the board of trade, that all the offensive acts of Pennsylvania should be rejected, and censured with severity the temporizing facility of Lord Mansfield as a feeble and unmanly surrender of just authority. The time was near at hand

when the young Irishman's opinions upon the extent of British authority over America would become of moment. Great efforts were made to win the immediate interposition of William Pitt, so that he might appall the colonies by his censure, or mould them by British legislation. After diligent and long-continued inquiry, I cannot find that he ever consented to menace any restriction on the freedom of the people in the colonies, or even so much as expressed an opinion that they were more in fault than the champions of prerogative. So little did he interest himself in the strifes of Pennsylvania, that, during his ministry, Franklin was never admitted to his presence. Every one of his letters which I have seen — and I think I have seen every considerable one to every colony — is marked by liberality and respect for American rights; and the governor of Maryland, who desired taxation by parliament, and had appealed to the secretary, "in hopes that measures would have been taken to end the dispute" between the officers of the crown and the assembly, was left to complain "that his majesty's ministers had not as yet interfered," that Pitt would "only blame both houses for their failure to make appropriations." The threat of interference, on the close of the war, was incessant from Halifax and the board of trade; I can trace no such purpose to Pitt.

Yet a circular from the secretary, who was informed by Amherst that the French islands were supplied during the war with provisions from America, was connected with the first strong expressions of discontent in New England. American merchants were incited, by the French commercial regulations, to engage in the carrying-trade of the French sugar islands; and they gained by it immense profits. This trade was protected by flags of truce, which were granted by the colonial governors. "For each flag," wrote Horatio Sharpe, who longed to share in the spoils, "for each flag, my neighbor, Governor Denny, receives a handsome *douceur;* and I have been told that Governor Bernard, in particular, has also done business in the same way." "I," said Fauquier, of Virginia, "have never been prevailed on to grant one; though I have been tempted by

large offers, and pitiful stories of relations lying in French dungeons for want of such flags." In vehement and imperative words, Pitt rebuked the practice, not with a view permanently to restrain the trade of the continent with the foreign islands, but only in time of war to distress the enemy by famine.

1760. In August, the same month in which this impassioned interdict was issued, Francis Bernard, whom the board of trade favored as the obsequious friend to the English church and to British authority, was removed to the government of Massachusetts. In September of that year, Bernard manifested the purpose of his appointment, by informing the legislature of Massachusetts "that they derived blessings from their subjection to Great Britain." Subjection to Great Britain was a new doctrine in New England, whose people professed loyalty to the king, but shunned a new master in the collective people of England. The council, in its reply, owned only a beneficial "relation to Great Britain;" the house of representatives spoke vaguely of "the connection between the mother country and the provinces, on the principles of filial obedience, protection, and justice."

The colonists had promised themselves, after the conquest of Canada, that they should "sit quietly under their own vines and fig-trees, with none to make them afraid;" and already they began to fear aggressions on their freedom. To check illicit trade, the officers of the customs had even demanded of the supreme court general writs of assistance; but the writs had been withheld, because Stephen Sewall, the chief justice of the province, a man of great integrity, respected and beloved by the people, doubted their legality.

In September, Sewall died, to the universal sorrow of the province; and the character of his successor would control the decision of the court on the legality of writs of assistance, involving the enforcing of the British acts of trade by the utmost exertion of arbitrary and irresponsible discretion, as well as the degree of political support which the judiciary would grant to the intended new system of administration. Had the first surviving judge been pro-

moted to the vacancy, a place would have been left open for James Otis, of Barnstable, at that time speaker of the house of representatives, a good lawyer, to whom a former governor had promised a seat on the bench; but Bernard appointed Thomas Hutchinson, originally a merchant by profession, subservient in his politics, already lieu- 1760.
tenant-governor, councillor and judge of probate. A burst of indignation broke from the colony at this union of such high executive, legislative, and judicial functions in one person, who was not bred to the law, and was expected to interpret it for the benefit of the prerogative. Oxenbridge Thacher, a lawyer of great merit, a man of sagacity and patriotism, respected for learning, ability, purity of life, and moderation, discerned the dangerous character of Hutchinson's ambition, and from this time denounced him openly and always; while James Otis, the younger, offended as a son and a patriot, resigned the office of advocate-general, and, by his eloquence in opposition to the royalists, set the province in a flame. But the new chief justice received the iterated application for writs of assistance, and delayed the decision of the court only till he could write to England.

The lords of trade had matured their system. They agreed with what Dobbs had written from North Carolina, that "it was not prudent, when unusual supplies were asked, to litigate any point with the factious assemblies; but, upon an approaching peace, it would be proper to insist on the king's prerogative." "Lord Halifax," said Secker of that nobleman, about the time of his forfeiting an advantageous marriage by a licentious connection with an opera girl, "Lord Halifax is earnest for bishops in America;" and he hoped for success in that "great point, when it should please God to bless them with a peace." The opinions of Ellis, the governor of Georgia, who had represented the want of "a small military force" to keep the assembly from encroachments; of Lyttelton, who, from South Carolina, had sent word that the root of all the difficulties of the king's servants lay "in having no standing revenue," — were kept in mind. "It has been hinted to

me," said the secretary of Maryland, "that, at the peace, acts of parliament will be moved for amendment of government and a standing force in America, and that the colonies, for whose protection the force will be established, must bear at least the greatest share of charge. This," 1760. wrote Calvert, in January, 1760, "will occasion a tax;" and he made preparations to give the board of trade his answer to their propositions on the safest modes of raising a revenue in America by act of parliament.

"For all what you Americans say of your loyalty," observed Pratt, the attorney-general, better known in America as Lord Camden, to Franklin, "and notwithstanding your boasted affection, you will one day set up for independence." "No such idea," replied Franklin, sincerely, "is entertained by the Americans, or ever will be, unless you grossly abuse them." "Very true," rejoined Pratt; "that I see will happen, and will produce the event."

Peace with foreign states was to bring for America an alteration of charters, a new system of administration, a standing army, and for the support of that army a grant of an American revenue by a British parliament. The decision was settled, after eleven years' reflection and experience, by Halifax and his associates at the board of trade, and for its execution needed only a prime minister and a resolute monarch to lend it countenance. In the midst of these schemes, surrounded by victory, the aged George II. died suddenly of apoplexy on the twenty-fifth day of October, 1760.

CHAPTER XVII.

THE KING AND THE ARISTOCRACY AGAINST THE GREAT COMMONER. GEORGE III. DRIVES OUT PITT.

1760–1761.

THE new king went directly to Carleton house, the residence of his mother. The first person whom he sent for was Newcastle, who came in a great hurry. None knew better than those who were to receive the duke that Pitt had forced a way into the highest place in the ministry over the heads of an envious and unwilling aristocracy; and that, under a reluctant coalition, there rankled an incurable alienation between the members of the administration itself. Newcastle had no sooner entered Carleton house, than Bute came to him, and told him that the king would see him before anybody and before holding a council. "Compliments from me," he added, "are now unnecessary. I have been and shall be your friend, and you shall see it." The veteran courtier caught at the naked hook as soon as thrown out, and answered in the same strain. The king, so young and so determined to rule, praised the loyalty of Newcastle, and said: "My Lord Bute is your good friend; he will tell you my thoughts at large." Newcastle, in return, was profuse of promises; and, before the ashes of the late king were cold, the faithless duke was conspiring with the new influences on and around the throne to subvert the system by which Pitt had not only restored, but exalted his country. 1760. Oct.

On meeting the council, the king appeared agitated and embarrassed, and with good reason; for his speech, which had been drawn by Bute, set up adhesion to his plan of government as the test of honesty; calumniated the war as "bloody" and expensive; and silently abandoned the king of Prussia. Newcastle, who was directed to read it aloud,

present hindrances, the reserved purpose of asserting his self-will. To place himself above dictation of all sorts, he was bent on securing "to the court the unlimited use of its own vast influence under the sole direction of its private favor." In the Earl of Bute he found an obsequious friend, ready to give support to the new system. Bute had neither experience, nor political connections, nor powerful family friendships, nor great capacity; and owed his public distinction solely to the royal favor. He was inferior to George III., even in those qualities in which that prince was most deficient; greatly his inferior in vigor of understanding and energy of character. "Remember, my noble and generous friend," wrote the vain, rich Dodington, "that to recover monarchy from the inveterate usurpation of oligarchy is a point too arduous and important to be achieved without much difficulty and some degree of danger." But the Earl of Bute was timid by nature; he united persistence with pusillanimity, and, as a consequence, with duplicity. He was ignorant of men and of business, without sagacity or courage; so that it is difficult to express adequately his unfitness for the conduct of a party, or the administration of public affairs. Even his earnest desire to restore peace could not have brought about his advancement; the way was opened for him by the jealous impatience of the aristocracy at power derived, independently of themselves, from the good opinion of the people of England. "They will beat every thing," said Glover, of Bute and the king; "only a little time must be allowed for the madness of popularity to cool." But from that day forward, "popularity," as the influence and power of the people were sometimes called by the public men of England, was the movement of the age, which could as little be repressed as Providence dethroned; and George, who hated it almost to madness, was the instrument chosen by Heaven to accelerate its coming.

1761. Jan. The king was eager to renounce the connection with Prussia, and to negotiate separately with France; but Pitt prevailed with the cabinet to renew the annual treaty with Frederic, and with parliament to vote the subsidy without a question. "He has no thought of abandon-

ing the continent," said Bute, in January, 1761; "he is madder than ever." But Newcastle, clinging fondly to office, professed himself most willing to go any length to obtain peace, with a feebleness which Pitt despised, and a treachery which he never forgave. "They neither are nor can be united," said Bute, whose friends urged him "to put himself at the head, in a great office of business, and to take the lead." "It is very easy," thought he, in February, "to make the Duke of Newcastle resign; but who is to take it?" He had not courage to aim at once at the highest station.

Conscious of the very little weight he had in the closet, Newcastle would talk of resignation; then, conspiring against Pitt and submitting to every thing, he remained at his post. In the approaching election, he was thwarted in his desire to use for his own purposes his old system of corruption; but, of whatever he complained, it was answered: "The king had ordered it so." To the king's boroughs the king himself would name. Where a public order gave permission to the voters in the king's interest to vote as they pleased, a private one was annexed, "naming the person for whom they were all to vote;" and Newcastle was limited to those where the crown had only an influence. "The new parliament," said Bute, confidently, 1761. Feb. "will be the king's." George III. began his reign by competing with the aristocracy at the elections for the majority in that body; and, in the choice of the twelfth parliament, his first effort was successful.

On the nineteenth of March, the day of the disso- March. lution of the old parliament, changes in the ministry began to be made by the dismissal of Legge, the chancellor of the exchequer. George Grenville, who piqued himself on his knowledge of finance, "expressed to his brother-in-law his desire of the vacant place; but Pitt took no notice of his wishes," and the neglect increased the coolness of Grenville. "Fortune," exclaimed Barrington, on receiving the appointment, "may at last make me pope. I am equally fit to be at the head of the church as of the exchequer. But no man knows what is good for him. My invariable

rule, therefore, is to ask nothing, to refuse nothing." He was willing to serve with any ministry, making the king's wish his only oracle.

1761. Two days later, when the resignation of Holdernesse was purchased by a pension and a reversion, Bute took the seals for the northern department, accepting as his confidential under-secretary Charles Jenkinson, a *protégé* of George Grenville, and friend of the king.

At the same time, an office was given to Sir Francis Dashwood, the open and resolute opponent of Pitt's engagements with Germany; and Charles Townshend, who "swore allegiance to Bute," at least for a time, was made secretary at war. In that post, Townshend was ever careful to cultivate the favor of his sovereign. He was, in parliament and in life, "for ever on the rack of exertion;" of ill-regulated ambition; unsteady in his political connections; inclining always to the king, yet so conscious of the power conferred on him in the house of commons by his eloquence as never to become the servant of the king's friends. Too able to be dependent, too indifferent to liberty to advocate it freely, he floated between the two parties, not from change of views, but because, from his nature and his convictions, he was attached sincerely to neither.

That there might be in the cabinet one man who dared to stand up against Pitt, contradict him, and oppose his measures, the Duke of Bedford, though without employment, was, by the king's command, summoned to attend its meetings. Halifax, who had so long been trained at the board of trade to the assertion of the prerogative, was sent as lord-lieutenant to carry out the system in Ireland; while the patronage and chief correspondence with the American colonies were taken from the board of trade, and restored to the southern department.

These changes in the cabinet hastened the period of conflict with the colonies; the course of negotiations for peace between England and France was still more momentous for America.

"Since we do not know how to make war," said Choiseul, "we must make peace." Choiseul had succeeded Bernis, as

the minister of foreign affairs; in January, 1761, had, on the death of Belle-Isle, become minister of war, and soon annexed to these departments the care of the marine. "It is certain," said Grimaldi, the Spanish ambassador at Paris, "they ardently wish for a negotiation for peace here." Kaunitz, of Austria, who might well believe that Silesia was about to be recovered for his sovereign, interposed objections. "We have these three years," answered Choiseul, "been sacrificing our interests in America to serve the queen of Hungary: we can do it no longer." "France will not be bound by the will of her allies." Spain had demanded the evacuation of the British posts in the Bay of Honduras and on the shore of Campeachy; and England, violating treaties and its own recognition of its obligations, required that Spain should first come into stipulations for the continuance of the trade which had occasioned the intrusive settlements. Unwilling to be left to negotiate alone, Grimaldi, urging the utmost secrecy, "began working to see if he could make some protecting alliance with France." "You have waited," he was answered, "till we are destroyed, and you are consequently of no use." And on the twenty-fifth day of March, within five days of Bute's accession to the cabinet, on occasion of proposing a general congress at Augsburg, for the pacification of the continent, 1761. Choiseul offered to negotiate separately with England. Pitt assented.

Choiseul was, like Pitt, a statesman of consummate ability; but, while Pitt overawed by the authoritative grandeur of his designs, the lively and indiscreet Choiseul had the genius of intrigue. He was by nature an agitator, and carried into the cabinet restless activity and the arts of cabal. Pitt treated all subjects with stateliness; Choiseul discussed the most weighty in jest. Of high rank and great wealth, he was the first person at court, and virtually the sole minister. Did the king's mistress, who had ruled his predecessor, interfere with affairs, he would reply that she was handsome as an angel, but throw her memorial into the fire; and, with railleries and sarcasms, he maintained his exclusive power by a clear superiority of spirit and resolution. For

personal intrepidity, he was distinguished even among the French gentry; and as he carried the cabinet by his decided character, so he brought into the foreign politics of his country as daring a mind as animated any man in France or England. It was the judgment of Pitt that he was the greatest minister France had seen since the days of Richelieu. In depth, refinement, and quick perceptions, he had no superior. To the dauphin, who cherished the traditions of the past, he said: "I may one day be your subject, your servant never." A free-thinker, an enemy to the clergy, and above all to the Jesuits, he united himself closely with the parliaments, and knew that public opinion was beginning to outweigh that of the monarch. Perceiving that America was lost to France, he proposed, as the basis of the treaty, that "the two crowns should remain each in the possession of what it had conquered from the other;" and, while he named epochs from which possession was to date in every continent, he was willing that England itself should suggest other periods. On this footing, which left Canada, Senegal, perhaps Goree also, and the ascendency in the East Indies to England, and to France nothing but Minorca to exchange for her losses in the West Indies, all Paris believed peace to be certain. George III. wished it from his heart; and, though the king of Spain proposed to France an alliance offensive and defensive, Choiseul, consulting the well-being of his exhausted country, sincerely desired repose.

But Pitt was unfit for the work of reconciliation. He expected, and led his countrymen to expect, that the marked superiority of England would be imprinted on the treaty of peace; and preferred a continuance of the war for the purpose of making more extended acquisitions. England may forgive a lofty and impassioned attachment to her greatness: impartial history awards the palm to the young sovereign, who desired the purer glory of arresting victory by a reasonable peace.

1761. May. To further the negotiations, Bussy in May repaired to London; and the circumspect, distrustful Hans Stanley, who dared only reflect the will of his employer, made his way to Paris. But the unyielding haughtiness of

Pitt was apparent to Grimaldi and to Choiseul. Still the negotiation went on, and subjects of detail were brought into discussion. 1761. June.

With regard to the German war, France proposed that England, on recovering Hanover, should refrain from interference; and this policy was supported in England by the king and the Duke of Bedford. The king of Prussia, whose chances of ruin, even with the aid of England, were computed as three to one, knew that Bute and George III. would advise him to make peace by the sacrifice of territory. "How is it possible," such were the words addressed by Frederic to Pitt, "how can the English nation propose to me to make cessions to my enemies, — that nation which has guaranteed my possessions by authentic acts known to the whole world? I have not always been successful; and what man in the universe can dispose of fortune? Yet, in spite of the number of my enemies, I am still in possession of a part of Saxony, and I am firmly resolved never to yield it but on condition that the Austrians, the Russians, and the French shall restore to me every thing that they have taken from me.

"I govern myself by two principles: the one is honor, and the other the interest of the state which Heaven has given me to rule. The laws which these principles prescribe to me are: first, never to do an act for which I should have cause to blush, if I were to render an account of it to my people; and the second, to sacrifice for the welfare and glory of my country the last drop of my blood. With these maxims I can never yield to my enemies. Rome, after the battle of Cannæ; your great Queen Elizabeth, against Philip II. and the Invincible Armada; Gustavus Vasa, who restored Sweden; the Prince of Orange, whose magnanimity, valor, and perseverance founded the republic of the United Provinces, — these are the models I follow. You, who have grandeur and elevation of soul, disapprove my choice, if you can.

"All Europe turns its eye on the beginning of the reign of kings, and by the first-fruits infers the future. The king of England has but to elect whether, in negotiating peace,

he will think only of his own kingdom, or, preserving his word and his glory, he will also have care for the welfare of his allies. If he chooses the latter course, I shall owe him a lively gratitude; and posterity, which judges kings, will crown him with benedictions."

"Would to God," replied Pitt, "that the moments of anxiety for the states and the safety of the most invincible of monarchs were entirely passed away;" and Stanley, in his first interview with Choiseul, avowed the purpose
1761. of England to support its great ally "with efficacy and good faith." But France had no motive to ruin Prussia; and a just regard for its interests would have been no insurmountable obstacle to the peace.

When France expressed a hope of recovering Canada, as a compensation for her German conquests, "They must not be put in the scale," said Pitt to Bussy. "The members of the empire and your own allies will never allow you to hold one inch of ground in Germany. The whole fruit of your expeditions, after the immense waste of treasure and men, will be to make the house of Austria more powerful." "I wonder," said Choiseul to Stanley, "that your great Pitt should be so attached to the acquisition of Canada. The inferiority of its population will never suffer it to be dangerous; and, in the hands of France, it will always be of service to you to keep your colonies in that dependence which they will not fail to shake off the moment Canada shall be ceded." And he readily consented to abandon that province to England.

The restitution of the merchant ships, which the English cruisers had seized before the war, was justly demanded. They were afloat on the ocean, under every guarantee of safety; they were the property of private citizens, who knew nothing, and could know nothing, of the diplomatic disputes of the two countries. The capture was unjustifiable by every reason of equity and public law. "The cannon," said Pitt, "has settled the question in our favor; and, in the absence of a tribunal, this decision is a sentence." "The last cannon has not yet been fired," retorted Bussy; and other desperate wars were to come for dominion and for equality on the seas.

France desired to escape from the humiliating condition of demolishing the harbor of Dunkirk. "Since England has acquired the dominion of the seas," said Pitt to Bussy, "I myself fear Dunkirk but little; but the people regard its demolition as an eternal monument of the yoke imposed on France." Choiseul was ready to admit concessions with regard to Dunkirk, if France could retain a harbor in the Gulf of St. Lawrence, with the freedom of the fisheries; without these, he would himself decline further negotiation. Pitt refused the fisheries altogether. The union of France with Spain was the necessary consequence, and was promoted by the reduction of the Island of Belle-Isle. Towards the efforts of his foreign enemies, Pitt looked in the proud serenity of conscious strength; and yet he was becoming sombre and anxious, for his own king had prepared for him opposition in the cabinet.

"The peace which is offered," said Granville, the lord president, "is more advantageous to England than any ever concluded with France, since King Henry V.'s time." "I pray to God," said Bedford to Bute, in July, "his majesty may avail himself of this opportunity of excelling in glory and magnanimity the most famous of his predecessors by giving his people a reasonable and lasting peace." Did any argue that efforts could be made during the summer from Belle-Isle? Bedford expected nothing but "possibly the taking another island, or burning a few more miserable villages on the continent." Did Pitt say, "Before December, I will take Martinique," "Will that," rejoined Bedford, "be the means of obtaining a better peace than we can command at present, or induce the French to relinquish a right of fishery?" "Indeed," he pursued, with good judgment and good feeling, "the endeavoring to drive France entirely out of any naval power is fighting against nature, and can tend to no one good to this country; but, on the contrary, must excite all the naval powers in Europe to enter into a confederacy against us, as adopting a system of a monopoly of all naval power dangerous to the liberties of Europe. In case it shall be decided to carry on the war for another campaign, I wash

1761. July.

my hands from all the guilt of the blood that may be shed."

At the king's special request, Bedford attended the cabinet council of the twentieth of July, to discuss the conditions of peace. All the rest who were present cowered before Pitt. Bedford "was the single man who dared to deliver an opinion contrary to his sentiments." "I," said Newcastle, "envy him that spirit more than his great fortune and abilities." But the union between France and Spain was already so far consummated that, in connection with the French memorial, Bussy had on the fifteenth
1761. of July presented a note, requiring England to afford no succor to the king of Prussia; and a private paper, demanding, on behalf of Spain, indemnity for seizures, the right to fish at Newfoundland, and the demolition of the English settlements in the Bay of Honduras. "These differences, if not adjusted, gave room," it was said, "to fear a fresh war in Europe and America."

This note and this memorial, containing the menace of a Spanish war, gave Pitt the upper hand. To the private intercession of the king, he yielded but a little, and in appearance only, on the subject of the fishery. "I was overruled," said he afterwards, "I was overruled, not by the foreign enemy, but by another enemy;" and at the next council he presented his reply to France, not for deliberation, but acceptance. Bute dared not express dissent; and, as Bedford disavowed all responsibility and retired with indignant surprise, Pitt, with the unanimous consent of the cabinet, returned the memorials relative to Prussia and to Spanish affairs as wholly inadmissible, declaring that the king "would not suffer the disputes with Spain to be blended in any manner whatever in the negotiations of peace between the two nations."

On the twenty-ninth of July, Stanley, bearing the ultimatum of England, demanded Canada; the fisheries, with a limited and valueless concession to the French, and that only on the humiliating condition of reducing Dunkirk; half the neutral islands, especially St. Lucia and Tobago; and Goree, that is, a monopoly of the slave-trade;

Minorca; freedom to assist the king of Prussia; and British ascendency in the East Indies. The ministers of Spain and Austria could not conceal their exultation. "My honor," replied Choiseul to the English envoy, "will be the same fifty years hence as now; I am as indifferent to my place as Pitt can be; I admit without the least reserve the king's propensity to peace; his majesty may sign such a treaty as England demands, but my hand shall never be to that deed;" and, claiming the right to interfere in Spanish affairs, with the approbation of Spain he submitted modifications of the British offer. He still desired peace; but he was convinced that Pitt would never agree to a reasonable treaty, and his only hope was in delay.

1761. Aug.

Thus far Pitt had encountered in the cabinet no avowed opposition except from Bedford. On this point the king and his friends made a rally; and the answer to the French ultimatum, peremptorily rejecting it and making the appeal to "arms," was adopted in the cabinet by a majority of but one voice. "Why," asked George, as he read it, "why were not words chosen in which all might have concurred?" and his agitation was such as he had never before shown. The friends of Bedford mourned over the continuance of the war, and the danger of its involving Spain. "Pitt," said they, "does govern, not in the cabinet council only, but in the opinions of the people." Rigby forgot his country so far as to wish ill success to its arms; but the multitude thirsted for conquest. Men applauded a war which was continued for no definite purpose whatever.

But on the fifteenth of August, the very day on which Pitt despatched his abrupt declaration, Choiseul concluded that family compact which was designed to unite all the branches of the house of Bourbon as a counterpoise to the maritime ascendency of England. From the period of the termination of existing hostilities, France and Spain, in the whole extent of their dominions, were to stand towards foreign powers as one state. A war begun against one of the two crowns was to become the personal and proper war of the other. No peace should be made but in common. In war and in peace, each should regard the

interests of his ally as his own; should reciprocally share benefits and losses, and make each other corresponding compensations. For that monarchy, which was the weaker power and more nearly insulated, having fewer points for collision in Europe and every thing at hazard in America, the compact was altogether unwise.

On the same fifteenth of August, and not without the knowledge of Pitt, France and Spain concluded a special convention, by which Spain herself engaged to declare war against England, unless, contrary to all expectation, peace should be concluded between France and England before the first day of May, 1762. Extending his eye to all the states interested in the rights of neutral flags, to Portugal, Savoy, Holland, and Denmark, Choiseul covenanted with Spain that Portugal should be compelled, and the others invited, to join the federative union "for the common advantage of all maritime powers."

Yet, still anxious for peace, and certain either to secure it or to place the sympathy of all Europe on the side of France, Choiseul resolved on a last "most ultimate" attempt at reconciliation by abundant concessions; and on the thirteenth day of September, just five days after the youthful sovereign of England had taken as his consort the blue-eyed, considerate, but not very lovely German princess of Mecklenburg-Strelitz, — a girl of seventeen, who became well known as the parsimonious and correct Queen Charlotte, — Bussy presented the final propositions of France. By Pitt, who was accurately acquainted with the special convention between France and Spain, they were received with disdainful indifference. A smile of irony and a few broken words were his only answer; and, when the negotiation was broken off, Pitt said plainly that his own demands throughout had been made in earnest, that "the propositions which France found too severe would have appeared too favorable to a great part of the English nation."

1761. Sept.

A war with Spain could no longer be avoided by England. To the proposal for "the regulation of the privilege of cutting logwood by the subjects of Great Britain," the Catholic king replied through Wall, his minister, by a

despatch which reached England on the thirteenth of September: "The evacuation of the logwood establishments is offered, if his Catholic majesty will assure to the English the logwood! He who avows that he has entered another man's house to seize his jewels says, 'I will go out of your house, if you will first give me what I am come to seize.'" Kindling with wrath at the comparison of England with housebreakers and robbers, Pitt became "more overbearing and impracticable" than ever. With one hand he prepared to "smite the whole family of Bourbons, and wield in the other the democracy of England." The vastest schemes flashed before his mind, to change the destinies of continents and mould the fortunes of the world. He resolved to seize the remaining French islands, especially Martinique; to conquer Havana, to take Panama. The Philippine Islands were next to fall; and the Spanish monopoly in the New World to be broken at one blow and for ever by a "general resignation of all Spanish America, in all matters which might be deemed beneficial to Great Britain." 1761.

But humanity had reserved to itself a different mode of extricating Spanish America from colonial monopoly. On the eighteenth day of September, Pitt, joined only by his brother-in-law, the Earl of Temple, submitted to the cabinet his written advice to recall Lord Bristol, the British ambassador, from Madrid. "From prudence, as well as spirit," affirmed the secretary, "we ought to secure to ourselves the first blow. If any war can provide its own resources, it must be a war with Spain. Their flota has not arrived; the taking it disables their hands and strengthens ours." Bute, speaking the opinion of the king, was the first to oppose the project as rash and ill-advised; Granville wished not to be precipitate; Temple supported Pitt; Newcastle was neuter. During these discussions, all classes of the people of England were gazing at the pageant of the coronation, or relating to each other how the king, kneeling before the altar in Westminster Abbey, reverently put off his crown as he received the sacrament from the archbishop. A second meeting of the cabinet was attended by all the ministers; they heard Pitt explain correctly the private

convention by which Spain had bound itself to declare war against Great Britain in the following May, but they
1761. came to no decision. At a third meeting, all the great whig lords objected, having combined with the favorite to drive the great representative of the people from power. Newcastle and Hardwicke, Devonshire and Bedford, even Ligonier and Anson, as well as Bute and Mansfield, assisted in his defeat. Pitt, with his brother-in-law, Temple, stood alone. Stung by the opposition of the united oligarchy, Pitt remembered how he made his way into the cabinet, and what objects he had steadily pursued. "This," he exclaimed to his colleagues, as he bade defiance to the aristocracy, and appealed from them to the country which his inspiring influence had rescued from disgrace, "this is the moment for humbling the whole house of Bourbon; if I cannot in this instance prevail, this shall be the last time I will sit in this council. Called to the ministry by the voice of the people, to whom I conceive myself accountable for my conduct, I will not remain in a situation which makes me responsible for measures I am no longer allowed to guide." "If the right honorable gentleman," replied Granville, "be resolved to assume the right of directing the operations of the war, to what purpose are we called to this council? When he talks of being responsible to the people, he talks the language of the house of commons, and forgets that at this board he is responsible only to the king."

The minister attributed his defeat not so much to the king and Bute as to Newcastle and Bedford; yet the king was himself a partner in the conspiracy; and, as he rejected the written advice that Pitt and Temple had given him, they resolved to retire. By every principle of political honor and fidelity, Grenville should have retired with his brother-in-law and brother; but, though he feared to offend his family, he loved his lucrative posts, and yielded to the solicitations of Bute, who assured him from the king that, if he would remain in the cabinet, "his honor should be the king's honor, his disgrace the king's disgrace."

On Monday, the fifth day of October, William Pitt, now venerable from years and glory, the greatest minister of his

century, one of the few very great men of his age, among orators the only peer of Demosthenes, the man without title or fortune, who, finding England in an abyss of weakness and disgrace, conquered Canada and the Ohio valley and Guadaloupe, sustained Prussia from annihilation, humbled France, gained the dominion of the seas, won supremacy in Hindostan, and at home vanquished faction, stood in the presence of George to resign his power. The young and inexperienced king received the seals with ease and firmness, without requesting him to resume his office; yet he approved his past services, and made him an unlimited offer of rewards. At the same time, he expressed himself satisfied with the opinion of the majority of his council, and declared he should have found himself under the greatest difficulty how to have acted, had that council concurred as fully in supporting the measure proposed as they had done in rejecting it. The great commoner began to reply; but the anxious and never ceasing application, which his post as the leading minister had required, combined with repeated and nearly fatal attacks of hereditary disease, had completely shattered his nervous system. "I confess, sir," said he, "I had but too much reason to expect your majesty's displeasure. I did not come prepared for this exceeding goodness; pardon me, sir, it overpowers me, it oppresses me;" and the man who by his words and his spirit had restored his country's affairs, and lifted it to unprecedented power and honor and self-reliance, burst into tears. On the next day, the king seemed impatient to bestow some mark of favor; and, as Canada had been acquired by the ability and firmness of his minister, he offered him that government, with a salary of five thousand pounds. But Pitt overflowed with affection for his wife and children. The state of his private affairs was distressed in consequence of the disinterestedness of his public conduct. "I should be doubly happy," he avowed, "could I see those dearer to me than myself comprehended in that monument of royal approbation and goodness." A peerage, therefore, was conferred on Lady Hester, his wife, with a grant of three thousand pounds on the plantation duties, to be paid annu-

1762. Oct.

ing the lives of herself, her husband, and her eldest
d these marks of the royal approbation, very mod-
comparison with his merits, if indeed those merits
placed him above all rewards, were accepted "with
on and gratitude." Thus he retired, having de-
the balance of the European colonial system by the
ıcy of England, confirmed the hostility of France
in to his country, and impaired his own popularity
ting a pension and surrendering his family as hos-
the aristocracy.

CHAPTER XVIII.

THE ACTS OF TRADE PROVOKE REVOLUTION. THE REMODELLING OF THE COLONIAL GOVERNMENTS.

1761–1762.

Lord Barrington, who was but an echo of the opinions of the king, approved the resignation of Pitt, as "important" and "fortunate;" the young queen, still in her honey-moon, expressed her joy at the event; but Bute had misgivings, and saw that his own "situation was become more perilous." George Grenville did not dare to take the office left vacant by Pitt, and named for it his brother-in-law, the Earl of Egremont, who belonged to a tory family, was both weak and passionate, and of infirm health; for himself, he renounced aspirations to the speaker's chair for a sinecure, and, remaining in the cabinet, consented to take the lead in the house of commons; while Bedford became lord privy seal. 1761.

As the English minister at Madrid was deceived into reporting peaceful intentions on the part of Spain, the king directed that, through the Spanish ambassador at London, the French court should be invited to renew its last propositions. "It is only with a second Pitt," said Choiseul, "that I should dare to treat on such offers." After the arrival of the Spanish treasure-ships, Spain used bolder language; and, before the year was over, a rupture with that power was unavoidable. Yet peace was still sought with perseverance; for it was the abiding purpose of the young sovereign to assert the royal authority in all parts of his dominions.

The legislature of Massachusetts still acknowledged that "their own resolve could not alter an act of parliament," and that every proceeding of theirs which was in conflict

with a British statute was for that reason void. And yet the justice of the restrictions on trade was denied, and their authority questioned; and, when the officers of the customs made a petition for "writs of assistance" to enforce them, the colony regarded its liberties in peril. This is the opening scene of American resistance. It began in New England, and made its first battle-ground in a court-room. A lawyer of Boston, with a tongue of flame and the inspiration of a seer, stepped forward to demonstrate that all arbitrary authority was unconstitutional and against the law.

1761. In February, 1761, Hutchinson, the new chief justice, and his four associates, sat in the crowded council-chamber of the old town-house in Boston, to hear arguments on the question whether the persons employed in enforcing the acts of trade should have power to invoke generally the assistance of all the executive officers of the colony.

A statute of Charles II., argued Jeremiah Gridley for the crown, allows writs of assistance to be issued by the English court of exchequer; a colonial law devolves the power of that court on the colonial superior court; and a statute of William III. extends to the revenue officers in America like powers, and a right to "like assistance," as in England. To refuse the writ is, then, to deny that "the parliament of Great Britain is the sovereign legislator of the British empire."

Oxenbridge Thacher, who first rose in reply, reasoned mildly, wisely, and with learning, showing that the rule of the English courts was in this case not applicable to America.

But James Otis, a native of Barnstable, whose irritable nature was rocked by the stormy impulses of his fitful passions, disdaining fees or rewards, stood up amidst the crowd, the champion of the colonies and the prophet of their greatness. "I am determined," such were his words, "to sacrifice estate, ease, health, applause, and even life, to the sacred calls of my country," "in opposition to a kind of power the exercise of which cost one king of England his head and another his throne." He pointed out the nature

of writs of assistance; that they were "universal, being directed to all officers and subjects" throughout the colony, and compelling the whole government and people to render aid in enforcing the revenue laws for the plantations; that they were perpetual, no method existing by which they could be returned or accounted for; that they gave even to the menial servants employed in the customs, on bare suspicion, without oath, without inquiry, perhaps from malice or revenge, authority to violate the sanctity of a man's own house, in which the laws should be as the impregnable battlements of his castle. "These writs," he 1761.
exclaimed, "are the worst instrument of arbitrary power, the most destructive of the fundamental principles of law." And he invoked attention to the whole range of an argument which "might," he acknowledged, "appear uncommon in many things," and which rested on universal "principles founded in truth." Tracing the lineage of freedom to its origin, he opposed the claims of the British officers by the authority of "reason;" and, that they were at war with "the constitution," he proved by appeals to the charter of Massachusetts and its English liberties. The precedent cited against him belonged to the reign of Charles II., and was but evidence of the subserviency of some "ignorant clerk of the exchequer;" but, even if there were precedents, "all precedents," he insisted, "are under the control of the principles of law." Nor could the authority of an express statute sanction the enforcement of acts of trade by general writs of assistance. "No act of parliament," such were his memorable words, "can establish such a writ; even though made in the very language of the petition, it would be a nullity. An act of parliament against the constitution is void." The words of Otis were as a penetrating fire, kindling the souls of his hearers. The majority of the judges were awe-struck, and believed him in the right. Hutchinson cowered before him, as "the great incendiary" of New England. The crowded audience seemed ready to take up arms against the arbitrary enforcement of the restrictive system; especially the youngest barrister in the colony, the choleric John Adams, a stubborn

and honest lover of his country, extensively learned and a bold thinker, listened in rapt admiration, and caught the inspiration which was to call forth his own heroic opposition to British authority. From that time he declares that he could never read "any section of the acts of trade without a curse." The people of the town of Boston, a small provincial seaport of merchants and ship-builders, with scarcely fifteen thousand inhabitants, became alive with political excitement. It seemed as if the words spoken on that day were a spell powerful enough to break the paper chains that left to America no free highway on the seas but that to England, and to open for the New World all the infinite paths of the ocean. Nay, more: as reason and the constitution are avowed to be paramount to the power of the British parliament, America becomes conscious of a life of her own. She sees in dim outlines along the future the vision of her own independence, with freedom of commerce and self-imposed laws.

Out of the heart,
Rises the bright ideal of that dream.

The old members of the superior court, after hearing the arguments of Thacher and Otis, the "friends to liberty," inclined to their side. "But I," said the ambitious
1761. Hutchinson, who never grew weary of recalling to the British ministry this claim to favor, "I prevailed with my brethren to continue the cause till the next term, and in the mean time wrote to England." The answer came; and the subservient court, obeying authority and disregarding law, granted writs of assistance whenever the officers of the revenue applied for them.

But Otis was borne onward by a spirit which mastered him, and increased in vigor as the storm rose. Gifted with a delicately sensitive and most sympathetic nature, his soul was agitated in the popular tempest as certainly as the gold leaf in the electrometer flutters at the approach of the thunder-cloud. He led the van of American patriots; yet impassioned rather than cautious, disinterested and incapable of cold calculation, now foaming with rage, now desponding, he was often like one who, in his eagerness for

battle, forgets his shield. Though sensitive and indulging in vehement personal criminations, he had not a drop of rancor in his breast; and, when the fit of passion passed away, was mild and easy to be entreated. His impulses were always for liberty, and full of confidence; yet his understanding, in moments of depression, would shrink back from his own inspirations. In the presence of an excited audience, his mind caught and increased the contagion, and rushed onward with fervid and impetuous eloquence; but, away from the crowd, he could be soothed into a yielding inconsistency. Thus he toiled and suffered, an uncertain leader of a party, yet thrilling and informing the multitude; not steadfast in conduct, yet by flashes of sagacity lighting the people along their perilous way; the man of the American protest, not destined to enjoy his country's triumph. He that will study the remarkable union in Otis of legal learning with speculative opinion, of principles of natural justice the most abstract and the most radical with a deeply fixed respect for the rights of property and obedience to the law, will become familiar with a cast of mind still common in New England.

The subserviency of Hutchinson increased the public discontent. Men lost confidence in the integrity of their highest judicial tribunal. Innovations under pretence of law were confirmed by judgments incompatible with English liberties. The admiralty court, hateful because instituted by a British parliament to punish infringements of the acts of trade in America without the intervention of a jury, had, in distributing the proceeds of forfeitures, violated the very statutes which it was appointed to enforce. Otis endeavored to compel a restitution of the third of forfeitures, which by the revenue laws belonged to the king for the use of the province, but had been misappropriated for the benefit of officers and informers. "The injury done the province" was admitted by the chief justice, who yet had no jurisdiction to redress it. The court of admiralty, in which the wrong originated, had always been deemed grievous, because unconstitutional; its authority seemed now established by judges devoted to the prerogative. 1761.

Unable to arrest the progress of illiberal doctrines in the courts, the people of Boston, in May, 1761, with unbounded and very general enthusiasm, elected Otis one of their representatives to the assembly. "Out of this," said Ruggles to the royalist Chandler, of Worcester, "a faction will arise that will shake this province to its foundation." Bernard entreated the new legislature "to give no attention to declamations tending to promote a suspicion of the civil rights of the people being in danger. Such harangues might well suit in the reigns of Charles and James, but in the times of the Georges they were groundless and unjust." Yet he knew well the settled policy of the board of trade, and was ever stimulating them to destroy the charter and efface the boundaries of the province.

Virginia resisted the British commercial system from abhorrence of the slave-trade. Never before had England pursued the traffic in negroes with such eager avarice. Categorical instructions from the board of trade kept every American port open as markets for men. The legislature of Virginia had repeatedly shown a disposition to obstruct the commerce; a deeply seated public opinion began more and more to avow the evils and the injustice of slav-
1761. ery itself; and, in 1761, it was proposed to suppress the importation of Africans by a prohibitory duty. Among those who took part in the long and violent debate was Richard Henry Lee, the representative of Westmoreland. Descended from one of the oldest families in Virginia, he had been educated in England, and had returned to his native land familiar with the spirit of Grotius and Cudworth, of Locke and Montesquieu; his first recorded speech was against negro slavery, in behalf of human freedom. In the continued importation of slaves, he foreboded danger to the political and moral interests of the Old Dominion; an increase of the free Anglo-Saxons, he argued, would foster arts and varied agriculture, while a race doomed to abject bondage was of necessity an enemy to social happiness. He painted from ancient history the horrors of servile insurrections. He deprecated the barbarous atrocity of the trade with Africa, and its violation of the equal rights of

men created like ourselves in the image of God. "Christianity," thus he spoke in conclusion, "by introducing into Europe the truest principles of universal benevolence and brotherly love, happily abolished civil slavery. Let us who profess the same religion practise its precepts, and, by agreeing to this duty, pay a proper regard to our true interests and to the dictates of justice and humanity." The tax for which Lee raised his voice was carried through the assembly of Virginia by a majority of one; but from England a negative followed with certainty every colonial act tending to diminish the slave-trade.

South Carolina, appalled by the great increase of its black population, endeavored by its own laws to restrain importations of slaves, and in like manner came into collision with the same British policy. But the war with the Cherokees weaned its citizens still more from Great Britain.

"I am for war," said Saloué, the young warrior of Estatoe, at a great council of his nation. "The spirits of our murdered brothers still call on us to avenge them; he that will not take up this hatchet and follow me is no better than a woman." To reduce the native mountaineers of Carolina, General Amherst, early in 1761, sent a regiment and two companies of light infantry, under Lieutenant-colonel James Grant, the same who, in 1758, had been shamefully beaten near Pittsburg. The province added to the regular forces a regiment of its own, under the command of Henry Middleton, who counted among his officers Henry Laurens, William Moultrie, and Francis Marion. 1761.

At Fort Prince George, Attakulla-kulla met the expedition, entreating delay for a conference. But, on the seventh day of June, the army, which was formed of about thirteen hundred regulars, and as many more of the men of Carolina, pursued their march, followed by about seven hundred pack-horses and more than four hundred cattle. A party of Chickasaws and Catawbas attended as allies. On the eighth, they passed through the dreaded defiles of War-Woman's Creek, by a rocky and very narrow path between the overhanging mountain of granite and a deep precipice which had the rushing rivulet at its base. Yet

1761. April. they came upon no trace of the enemy, till, on the next day, they saw by the wayside, crayoned in vermilion on a blazed forest tree, a war-party of Cherokee braves, with a white man as a captive.

On the morning of the tenth, at about half-past eight, as the English army, having suffered from forced marches and rainy weather, were walking through thick woods on the bank of the Cowwee, or, as we call it, the Little Tennessee, about two miles from the battle-ground of Montgomery, at a place where the path runs along the foot of a mountain on the right, and near the river on the left, the Cherokees were discovered hovering over the right flank, while others fired from beyond the river. Quintine Kennedy, with a corps of ninety Indians and thirty Carolina woodsmen, began the attack. The unseen enemy were driven from their ambush near the river, but again rallied, mingling the noise of musketry with shouts and yells. After three hours' exposure to an irregular fire, the troops, following the river, emerged from the defile into an open savanna. Meantime, the Indian whoop was heard, as it passed from the front to the encumbered rear of the long-extended line, where the Cherokee fire seemed heaviest; but Middleton sent opportune relief, which secured the baggage. Happily for Grant, the Cherokees were in great need of ammunition. Of the white men, ten were killed and forty badly wounded; to save the dead from the scalping-knife, the river was their place of burial. Not till midnight did the army reach its place of encampment at Etchowee.

For thirty days, the whites sojourned west of the Alleghanies. They walked through every town in the middle settlement; and the outside towns, which lay on another branch of the Tennessee. The hamlets, fifteen in number, were pillaged, burned, and utterly destroyed, and four thousand of the red people were driven to wander among the mountains.

The English army, till its return in July to Fort Prince George, suffered from heat, thirst, watchings, and fatigue of all sorts; in bad weather, they had no shelter but branches of trees and bowers; for twenty days, they were on short

allowance; their feet were torn by briers and mangled by the rocks: but they extended the English frontier seventy miles towards the west; and they compelled the Cher- 1761
okees to covenant peace, at Charleston, with the royal governor and council. "I am come to you," said Attakullakulla, "as a messenger from the whole nation, to see what can be done for my people in their distress." Here he produced belts of wampum from the several towns, in token of his investment with full authority from all. "As to what has happened," he added, "I believe it has been ordered by our Great Father above. We are of different color from the white people; but the same Great Spirit made all. As we live in one land, let us love one another as one people." And the Cherokees pledged anew to Carolina the friendship which was to last as long as the light of morning should break above their villages, or fountains gush from their hillsides. Then they returned to dwell once more in their ancient homes. Around them, nature, with the tranquillity of exhaustless power, renewed her beauty: the forests blossomed as before; the thickets were alive with melody; the rivers bounded exultingly in their course; the glades sparkled with the strawberry and the wild flowers; but for the men of that region the inspiring confidence of independence in their mountain fastnesses was gone. They knew that they had come into the presence of a race more powerful than their own; and that the course of their destiny was irrevocably changed.

In these expeditions to the valley of the Tennessee, Gadsden and Middleton, Moultrie and Marion, were trained to arms. At Pittsburg, the Virginians, as all agreed, had saved Grant from utter ruin; the Carolinians believed his return from their western country was due to provincial courage. The Scottish colonel concealed the wound of his self-love by affecting towards the southern colonists that contemptuous superciliousness which had been promoted by Montgomery, and which had so infused itself into the British nation that it even colored the writings of Adam Smith. Resenting the arrogance with scorn, Middleton challenged his superior officer, and they met. The chal-

lenge was generally censured, for Grant had come to defend their frontiers; but all the province took part in the excitement, and its long-cherished affection for England was mingled with disgust and anger.

The discontent of New York sprang from a cause which influenced the calmest minds, and was but strengthened and extended by deliberate reflection. It was not because the Episcopal clergy of that colony urged Secker, archbishop of Canterbury, to promote the abrogation of provincial charters; for the correspondence was concealed. It was not because they importunately demanded "bishops in America," as was their duty, if they sincerely believed that renovating truth is transmitted from generation to generation, not through the common mind of the ages, but through a separate order having perpetual succession; for on this point the British ministry was disinclined to act, while the American people were alarmed at Episcopacy only from its connection with politics. New York was aroused to opposition, because, as the first-fruits of the removal of Pitt from power, within six weeks of his resignation, the independency of the judiciary was struck at throughout all America, making revolution inevitable.

On the death of the chief justice of New York, his successor, one Pratt, a Boston lawyer, was appointed at the king's pleasure, and not during good behavior, as had been done "before the late king's death." The assembly held the new tenure of judicial power to be inconsistent with American liberty; the generous but dissolute Monckton, coming in glory from Quebec to enter on the government of New York, before seeking fresh dangers in the West Indies, censured it in the presence of the council; even Colden advised against it. "As the parliament," argued Pratt himself, after his selection for the vacant place on the bench, and when quite ready to use the power of a judge to promote the political interests of the crown, "as the parliament at the revolution thought it the necessary right of Englishmen to have the judges safe from being turned out by the crown, the people of New York claim the right of Englishmen in this respect;" and he himself was treated

with such indignity for accepting the office on other terms that it was thought to have shortened his life.

But the idea of equality in political rights between England and the colonies could not be comprehended by the English officials of that day; and in November, about a month after Pitt's retirement, the board of trade reported to the king against the tenure of good behavior, as "a pernicious proposition," "subversive of all true policy," "and tending to lessen the just dependence of the colonies upon the government of the mother country." The representation found favor with George; and, as the first-fruits of the new system, on the ninth of December the instruction went forth, through Egremont, to all colonial governors, to grant no judicial commissions but during pleasure.

To make the tenure of the judicial office the king's will was to make the bench of judges the instruments of the prerogative, and to subject the administration of justice throughout all America to the influence of an arbitrary and irresponsible power. The assembly of New York rose up against the encroachment, deeming it a deliberate step towards despotic authority; the standing instruction they resolved should be changed, or they, on their part, would grant no salary whatever to the judges.

"Things are come to a crisis," wrote Pratt, in January, 1762, chiefly intent on securing a good salary. 1762.
"If I cannot be supported with a competent salary, the office must be abandoned, and his majesty's prerogative must suffer." "Why," asked Colden, "should the chief justices of Nova Scotia and Georgia have certain and fixed salaries from the crown, and a chief justice of so considerable a province as this be left to beg his bread of the people?" And reporting to the board of trade the source of opposition in New York, "For some years past," said he, "three popular lawyers, educated in Connecticut, who have strongly imbibed the independent principles of that country, calumniate the administration in every exercise of the prerogative, and get the applause of the mob by propagating the doctrine that all authority is derived from the people." These "three popular lawyers" were William

Livingston, John Morin Scott, and one who afterwards turned aside from the career of patriotism, the historian William Smith.

The news of the resignation of Pitt, who was "almost idolized" in America, heightened the rising jealousy and extended it through the whole continent. "We have such an idea of the general corruption," wrote Ezra Stiles, a dissenting minister in Rhode Island, "we know not how to confide in any person below the crown." "You adore the Oliverian times," said Bernard to Mayhew, at Boston. "I adore Him alone who is before all times," answered Mayhew; and at the same time avowed his zeal for the principles of "the glorious Revolution" of 1688, especially for "the freedom of speech and of writing."

The old Puritan strife with prelacy was renewed; and Presbyterians and Congregationalists were jealous of the favor shown by the royal governors to the established church. In New York, the college was under Episcopal direction; as New England's Cambridge was in the hands of dissenters, Bernard sealed a charter for another seminary in the interior. A fund of two thousand pounds was subscribed to a society, which the legislature of Massachusetts had authorized, for propagating knowledge among the Indians; but the king interposed his negative, and reserved the red men for the Anglican form of worship. Mayhew, on the other hand, marshalled public opinion against bishops; while Massachusetts, under the guidance of Otis, dismissed the Episcopalian Bollan, its pedantic but honest agent, and, intending to select a dissenter who should be able to employ for the protection of its liberties the political influence of the non-conformists in England, it intrusted its affairs to Jasper Mauduit, who, though a dissenter, was connected through his brother, Israel Mauduit, with Jenkinson and Bute and Mansfield and the king.

But the great subject of discontent was the enforcement of the acts of trade by the court of admiralty; where a royalist judge determined questions of property without a jury, on information furnished by crown officers, and derived his own emoluments exclusively from his portion of

the forfeitures which he himself had full power to declare. The governor, too, was sure to lean to the side of large seizures; for he by law enjoyed a third of all the fines imposed on goods that were condemned. The legislature, angry that Hutchinson, as chief justice, in defiance of the plain principles of law, should lend himself to the schemes of the crown officers, began to perceive how many offices he had accumulated in his own hands. Otis, whose mind was deeply imbued with the writings of Montesquieu, pointed out the mischief of uniting in the same person executive, legislative, and judicial powers; but four or five years passed away before the distinction was much heeded, and in the mean time the judges were punished by a reduction of their salaries. The general writs of assistance, which were clearly illegal, would have been prohibited by a provincial enactment but for the negative of the governor.

The commotion, which at first was confined to Boston, was expected to extend to the other ports. The people were resolved that their trade should no longer be kept under restrictions, and began to talk of procuring themselves justice.

CHAPTER XIX.

THE KING DRIVES OUT THE NEWCASTLE WHIGS. THE DAWN OF THE NEW REPUBLIC.

1762.

THE new ministers were careful at first to adopt the orders of William Pitt, and his plan for conducting the war. He had infused his own spirit into the army and navy of England; the strings which he had struck with power still vibrated; his light, like that of "an annihilated star," still shone brilliantly to the world; and it was without
1762. fear that, in the first days of January, 1762, England, justified by the avowed alliance between the branches of the house of Bourbon, extended the strife to the peninsula and the colonies of Spain.

Behold, then, at last, the great league of the Roman Catholic powers, France, Spain, Austria, and the German Empire, the mighty authorities of the middle age, blessed by the consecrating prayers of the see of Rome, and united in arms; yet, after the alliance was made, the policy of Roman bigotry could not control the war. New principles exerted their force. The compact between France and Spain had been made under the influence of Choiseul, the enemy of Jesuits, and the patron of philosophy; and the federation of the weaker maritime states presented itself to the world as the protector of equality on the seas. England, on the other hand, had no motive to continue hostilities but the love of rapine and conquest; and on the twelfth of January, about a week after the declaration against Spain, the king directed measures to be taken to detach Austria from the house of Bourbon, and recover its alliance for England.

The proposition was made through Sir Joseph Yorke, at the Hague, who was to tempt the empress by "the hope of

some ulterior acquisitions in Italy." The experienced diplomatist promptly hinted to his employers that the offer of the restoration of Silesia would be more effective. A clandestine proposition from England to Austria was a treachery to Frederic; it became doubly so, when success in the negotiation would have pledged England's influence to compel Frederic to the retro-cession of Silesia. To promise acquisitions in Italy, with all whose powers England was at peace, was an outrage on the law of nations; the proposition, if accepted, equally implied perfidy in Austria towards France. "Her imperial majesty and her minister," said Kaunitz, "cannot understand the proper meaning of this confidential overture of the English;" and it did not remain a secret.

No one desired the cessation of hostilities more than Frederic, if he could but secure his own possessions. "To terminate this deadly war advantageously," thus he wrote, in January, 1762, to George, "there is need of 1762. nothing but constancy; but we must persevere to the end. I see difficulties still without number; instead of appalling me, they encourage me by the hope of overcoming them." Ignorant of continental affairs, George III. and his favorite held it necessary to break or bend the firmness of will of the king of Prussia, and with that view invoked the interposition of Russia. The female autocrat of the north, the Empress Elizabeth, who during her reign abolished the punishment of death, but by her hatred of the Prussian king brought provinces into misery and tens of thousands to massacre on battle-grounds, a childish person, delighting in dress and new clothes, in intoxication and the grossest excesses of lewdness, was no more. So soon as it was known that she had been succeeded by her nephew, Peter III., who cherished an unbounded admiration for Frederic, the British minister at St. Petersburg was provided with a credit of one hundred thousand pounds to be used as bribes, and was instructed by Bute to moderate the excessive devotedness of the emperor to Frederic; the strength of that friendship was a source of anxiety.

Grenville and others were determined to get rid of the

Prussian alliance; and early in February, Bedford, though a member of the cabinet, offered a resolution in the house of lords against continuing the war in Germany. In the debate, Bute did but assume an appearance of opposition, and the question was only evaded and postponed. It was evidently the royal wish to compel Frederic to the hard necessity of ceding territory to Austria. A statement was demanded of him of his idea on the subject of peace, and of his resources for holding out, as a preliminary to the renewal of the subsidy from England; but he rendered no such account, which could have been but an inventory of his weakness. The armies of Russia were encamped in East Prussia; to Gallitzin, the minister of Russia at London, Bute intimated that England would aid the emperor to retain the conquest, if he would continue to hold the king of Prussia in check. But the chivalric czar, indignant at the perfidy, enclosed Gallitzin's despatch to Frederic himself, restored to him all the conquests that had been made from his kingdom, settled with him a peace including a guarantee of Silesia, and finally transferred a Russian army to his camp. The fact that Prussia had transformed Russia from an enemy into an ally, while England had a new enemy in Spain and a dependant in Portugal, gave a plausible reason for discontinuing the grant to Prussia. Still the subsidy was promised; but "the condition of the bounty of this nation," wrote Bute, at the king's command, "is the employment of it towards the procurement of peace, not the continuance of war." "This Englishman," said Frederic, "thinks that money does every thing, and that there is no money but in England;" and, deserted by his ally, he was left to tread in solitude the paths of greatness.

1762. During these negotiations, news reached Europe of victories in the West Indies. On the seventh of January, Monckton, with an army of twelve thousand men, assisted by Rodney and a fleet of sixteen sail of the line and thirteen frigates, appeared off Martinique; and, at the end of five weeks, the richest and best of the French colonies, strongly guarded by natural defences, which art had improved, was forced to capitulate. Grenada, St. Lucia, St.

Vincent's, were soon after occupied; so that the outer Caribbee Islands, in the whole extent of the arc which bends from St. Domingo towards the continent of South America, were British.

These successes encouraged the king's friends to pursue their system. Newcastle, who had received "all kinds of disgusts" from his associates in the cabinet, seized the occasion of withholding the subsidy from Prussia to indulge with Bute his habit of complaint. But "the earl never requested me to continue in office," said Newcastle, "nor said a civil thing to me;" and at last, most lingeringly, the veteran statesman resigned. 1762.

So fell the old whig aristocracy, which had so long governed England. It was false to the cause of liberty, and betrayed the man of the people, only to be requited with contumely by those who reaped benefits from its treachery. Its system of government, under its old form, could never be restored. It needed to be purified by a long conflict with the inheritors of its methods of corruption, before it could be awakened to a perception of its duty and animated to undertake the work of reform. But the power of the people was coming with an energy which it would be neither safe nor possible to neglect. Royalty itself, no less than aristocracy, was perilled. In the very days in which the English whig aristocracy was in its agony, Rousseau, the most eloquent writer of French prose, told the world that "nature makes neither princes, nor rich men, nor grandees;" that "the sovereignty of the people is older than the institutions which restrain it; and that these institutions are not obligatory, but by consent." "You put trust," said he, "in the actual order of society, without reflecting that this order is subject to inevitable changes. We are approaching the state of crisis and the age of revolutions." "Were all the kings put away, they would hardly be missed, and things would go on none the worse." "I hold it impossible that the great monarchies of Europe should endure much longer."

On the retirement of Newcastle, Bute, near the end of May, transferring the seals of the northern department to George Grenville, became first lord of the treasury, the

feeblest of British prime ministers; Bedford remained privy seal; Egremont, secretary of state for the southern department and America; while Lord North retained his
1762. seat at the treasury board. Early in June, on the death of Anson, Halifax returned from Ireland to join the cabinet as first lord of the admiralty. Charles Townshend was still secretary at war, yet restless in occupying a station inferior to Grenville's.

The British army and navy had acquired a habit of victory; the British men-of-war reposed in the consciousness of maritime supremacy; and, as the hawk, from his resting-place among the clouds, gazes calmly around for his prey, their eye glanced over every ocean in search of the treasure-ships of Spain. "Great monarchies," Choiseul had said in April, "spite of redoubled misfortunes, should have confidence in the solidity of their existence. If I were the master, we would stand against England as Spain did against the Moors; and, if this course were truly adopted, England would be reduced and destroyed within thirty years." But the exhausted condition of France compelled her to seek peace; in February and March, the subject had been opened for discussion through the ministers of Sardinia in London and Versailles; and, after passing April in the consideration of plans, early in May Bute was able to submit to Bedford his project. Bedford approved, and accepted the embassy to France.

"A good peace with foreign enemies," said Hutchinson, from Massachusetts, as early as March, "would enable us to make a better defence against our domestic foes." The relations of Ireland and of America to the British king and the British parliament were held to be the same. By Poyning's Act, as it was called, no bill could be accepted in Ireland, until it had been transmitted to England, and returned with the assent of the privy council. The principle had already been applied by royal instructions to particular branches of American legislation; the intention of demanding a suspending clause in every act began to be avowed.

It had been already decided that every American judge should hold his appointment at the royal pleasure. Hardy,

governor of New Jersey, having violated his instructions, by issuing a commission to judges during good behavior, was promptly dismissed; and, at the suggestion of Bute, William Franklin, the only son of the great adversary of the proprietaries of Pennsylvania, became his successor.

When New York refused to vote salaries to its chief justice, unless he should receive an independent commission, the board of trade, in June, 1762, recommended that he should have his salary from the royal quit-rents. "Such a salary," it was pleaded to the board by the chief justice himself, "could not fail to render the office of great service to his majesty, in securing the dependence of the colony on the crown, and its commerce to Great Britain." It was further hinted that it would insure judgments in favor of the crown against all intrusions upon the royal domain by the great landed proprietors of New York, and balance their power and influence in the assembly. The measure was adopted. In New York, the king instituted courts, named the judges, removed them at pleasure, fixed the amount of their salaries, and paid them independently of legislative grants. The system, established as yet in one only of the older provinces, was designed for all. 1762.

The design of raising a revenue by parliament at the peace was no longer concealed; and chastisement was prepared for Maryland and Pennsylvania, the refractory provinces which had so much tasked the attention of the great English lawyers, Mansfield, Charles Yorke, and Pratt. The king expressed what was called "just displeasure" at the "obstinate" disobedience of the assembly of Maryland, and censured its members as not "animated by a sense of their duty to their king and country." The reproof was administered "not to change their opinion," but, so wrote Egremont, "that they may not deceive themselves by supposing that their behavior is not seen here in its true light."

The reprimand of the legislature of Pennsylvania was delayed till Sir Jeffrey Amherst could report their disregard of his final appeal; and then a similar letter conveyed to them "the king's high disapprobation of their artfully evading to pay any obedience to his majesty's requisitions."

No one was more bent on reducing the colonies to implicit obedience than the blunt, humane, and honest, but self-willed Duke of Bedford, who, on the sixth day
1762. of September, sailed for France, with full powers to negotiate a peace. Scarcely was he gone, before Egremont, desiring, like Pitt, to conduct the negotiation from ministry to ministry, limited the powers of Bedford. The angry duke remonstrated to Bute, who incurred the enmity of Egremont by promising to ask of the cabinet a restitution to Bedford of his full powers. "Are you sure of the cabinet's concurrence?" asked Rigby. "The king will be obeyed," replied Bute, "and will talk to the two secretaries on their scruples;" and it was so. The young man of three-and-twenty subdued his two secretaries of state, secretly laughing at their displeasure and dismay. Egremont yielded, and some subjects were left at the discretion of Bedford; but Bute indirectly, through the Sardinian minister and in his own handwriting, communicated to the French ambassador the decision adopted, and even minutes of the advice given by the various members of the cabinet council, on condition that the details should be kept religiously from Spain and from the Duke of Bedford. When afterwards this perfidy became known to Bedford, it drew on Bute his implacable displeasure and contempt.

The negotiations for the peace languished, because Grimaldi, for Spain, was persuaded that the expedition of the English against Havana would be defeated; but, before the end of September, unexpected news arrived.

Havana was then, as now, the chief place in the West Indies, built on a harbor large enough to shelter all the navies of Europe, capable of being made impregnable from the sea, having docks in which ships-of-war of the first magnitude were constructed, rich from the products of the surrounding country, and the centre of the trade with Mexico. Of this magnificent city England undertook the conquest. The command of her army, in which Carleton and Howe each led two battalions, was given to Albemarle, a friend and pupil of the Duke of Cumberland. The fleet was intrusted to Pococke, already illustrious as the conqueror in two naval battles in the east.

Assembling the fleet and transports at Martinique and off Cape St. Nicholas, the adventurous admiral sailed directly through the Bahama Straits, and on the sixth day of June came in sight of the low coast round Havana. The Spanish forces for the defence of the city were about forty-six hundred; the English had eleven thousand effective men, and were recruited by nearly a thousand negroes from the Leeward Islands, and by fifteen hundred from Jamaica. Before the end of July, the needed re-enforcements arrived from New York and New England; among these was Putnam, the brave ranger of Connecticut, and numbers of men less happy, because never destined to revisit their homes.

On the thirtieth of July, after a siege of twenty-nine days, during which the Spaniards lost a thousand men, and the brave Don Luis de Velasco was mortally wounded, the Moro Castle was taken by storm. On the eleventh of August, the governor of Havana capitulated, and the most important station in the West Indies fell into the hands of the English. At the same time, nine ships of the line and four frigates were captured in the harbor. The booty of property belonging to the king of Spain was estimated at ten millions of dollars. 1762.

This siege was conducted in midsummer, against a city which lies just within the tropic. The country round the Moro Castle is rocky. To bind and carry the fascines was, of itself, a work of incredible labor, made possible only by aid of African slaves. Sufficient earth to hold the fascines firm was gathered with difficulty from crevices in the rocks. Once, after a drought of fourteen days, the grand battery took fire by the flames, and, crackling and spreading where water could not follow it nor earth stifle it, was wholly consumed. The climate spoiled a great part of the provisions. Wanting good water, very many died in agonies from thirst. More fell victims to a putrid fever, of which the malignity left but three or four hours between robust health and death. Some wasted away with loathsome disease. Over the graves the carrion-crows hovered, and often scratched away the scanty earth which rather hid than buried the dead. Hundreds of carcasses floated on

the ocean. And yet such was the enthusiasm of the English, such the resolute zeal of the sailors and soldiers, such the unity of action between the fleet and army, that the vertical sun of June and July, the heavy rains of August, raging fever, and strong and well-defended fortresses, all the obstacles of nature and art, were surmounted, and the most decisive victory of the war was gained.

The scene in the British cabinet was changed by the capture of Havana. Bute was indifferent to further acquisitions in America, for he held it "of much greater importance to bring the old colonies into order than to plant new ones;" but all his colleagues thought otherwise; and Bedford was unwilling to restore Havana to Spain except for the cession of Porto Rico and the Floridas. The king, who persisted in the purpose of peace, intervened. He himself solicited the assent of Cumberland to his policy; he caused George Grenville, who hesitated to adopt his views, to exchange with Halifax the post of secretary of state for that of the head of the admiralty; and he purchased the support of Fox as a member of the cabinet and leader of the house of commons by the offer of a peerage. These movements enraged both the people and the aristocracy; Wilkes, through "The North Briton," inflamed the public mind; while the Duke of Devonshire and the Marquis of Rockingham resigned their offices in the royal household. An opposition seemed certain; nor was it expected by the friends of the prerogative that "ancient systems of power would fall to the ground without a struggle." "The king's rest is not disturbed," said Bute; "he is pleased to have people fairly take off the mask, and looks with the utmost contempt on what he sees is going forward;" and, on
1762. the last day of October, he called for the council-book, and struck from it the name of the Duke of Devonshire, — a high indignity, almost without example.

The principal representatives of the old whig aristocracy were driven into retirement, and the king was passionately resolved never again to receive them into a ministry. In the impending changes, Charles Townshend coveted the administration of America; and Bute gladly offered him the

secretaryship of the plantations and board of trade. Thrice Townshend had interviews with the king, whose favor he always courted; but, for the time, he declined the station, from an unwillingness to attach himself to Fox and Bute, at the menace of danger.

At that moment, men were earnestly discussing, in Boston, the exclusive right of America to raise and to apply its own revenues. The governor and council had, in advance of authority by law, expended three or four hundred pounds sterling on a ship and sloop, that for the protection of fishermen were to cruise against privateers. Otis, in September, 1762, seized the opportunity in a report to 1762. claim the right of originating all taxes as the most darling privilege of the representatives. "It would be of little consequence to the people," said he, on the floor of the house, "whether they were subject to George or Louis, the king of Great Britain or the French king, if both were arbitrary, as both would be, if both could levy taxes without parliament." "Treason! treason!" shouted Paine, the member from Worcester. "There is not the least ground," said Bernard, in a message, "for the insinuation under color of which that sacred and well-beloved name is brought into question." Otis, who was fiery, but not obstinate, erased the offensive words; but immediately, claiming to be one

Who dared to love his country and be poor,

he vindicated himself through the press.

Invoking the authority of "the most wise, most honest, and most impartial Locke," "as great an ornament as the church of England ever had," because "of moderate and tolerant principles," and one who "wrote expressly to establish the throne which George III. now held," he undertook to reply to those who could not bear that "liberty and property should be enjoyed by the vulgar."

Deeply convinced of the reality of "the ideas of right and wrong," he derived his argument from original right. "God made all men naturally equal. The ideas of earthly grandeur are acquired, not innate. Kings were made for the good of the people, not the people for them. No government has a right to make slaves of the subject. Most

governments are, in fact, arbitrary, and consequently the curse and scandal of human nature; yet none are, of right, arbitrary. By the laws of God and nature, government must not raise taxes on the property of the people without the consent of the people or their deputies." And it was reasoned that "the advantage of being a Briton rather than a Frenchman consisted in liberty."

As a question of national law, Otis maintained the rights of a colonial assembly to be equal to those of the house of commons, and that to raise or apply money without its consent was as great an innovation as for the king and house of lords to usurp legislative authority.

The privileges of Massachusetts, it was held, were safe under the shelter of its charter and the common law; yet Otis did not fail to cite also the preamble to the British statute of 1740, for naturalizing foreigners, where "the subjects in the colonies are plainly declared entitled to all the privileges of the people of Great Britain."

In conclusion, he warned "all plantation governors" not to spend their whole time, as he declared "most of them" did, "in extending the prerogative beyond all bounds;" and he pledged himself, "ever to the utmost of his capacity and power, to vindicate the liberty of his country and the rights of mankind."

1762. The Vindication of Otis filled the town of Boston with admiration of the patriotism of its author, and the boldness of his doctrines. "A more sensible thing," said Brattle, one of the council, "never was written." By the royalists, its author was denounced as "the chief incendiary," a "seditious" "firebrand," and a "leveller." "I am almost tempted," confessed the unpopular Hutchinson, "to take for my motto, *Odi profanum vulgus*," hatred to the people. "I will write the history of my own times, like Bishop Burnet, and paint characters as freely; it shall not be published while I live, but I will be revenged on some of the rascals after I am dead;" and he pleaded fervently that Bernard should reserve his favor exclusively for "the friends to government." "I do not say," cried Mayhew from the pulpit, on the annual Thanksgiving Day, "I do not say our

invaluable rights have been struck at; but, if they have, they are not wrested from us; and may righteous Heaven blast the designs, though not the soul, of that man, whoever he be amongst us, that shall have the hardiness to attack them." Thomas Hollis, a wealthy English- 1762.
man, a lover of humanity, a devoted friend to America, sent word to Boston to build no hopes upon the king, and foresaw the approaching independence of America.

CHAPTER XX.

ENGLAND, GRASPING AT THE COLONIES OF FRANCE AND SPAIN, RISKS THE LOSS OF HER OWN. BUTE'S MINISTRY.

1762–1763.

WHILE it was yet uncertain who, among British statesmen, would be selected to establish British authority
1762. in the colonies, the king, on the twenty-sixth of October, offering to return Havana to Spain for either the Floridas or Porto Rico, urged the instant consummation of the treaty. "The best despatch I can receive from you will be these preliminaries signed. May Providence, in compassion to human misery, give you the means of executing this great and noble work." Thus wrote the young monarch to Bedford, not dazzled by victory, and repressing the thirst for conquest; a rare instance of moderation, of which history must gratefully preserve the record. The terms proposed to the French were severe and even humiliating. "But what can we do?" said Choiseul, who in his despair had for a time resigned the foreign department to the Duke de Praslin. "The English are furiously imperious; they are drunk with success; and, unfortunately, we are not in a condition to abase their pride." France yielded to necessity; and, on the third day of November, the preliminaries of peace, a peace so momentous for America, were signed between France and Spain on the one side, and England and Portugal on the other.

To England were ceded, besides islands in the West Indies, the Floridas; Louisiana to the Mississippi, but without the island of New Orleans; all Canada; Acadia; Cape Breton and its dependent islands; and the fisheries, except that France retained a share in them, with the two islets St. Pierre and Miquelon, as a shelter for their fishermen.

For the loss of Florida, France on the same day indemnified Spain by ceding to that power New Orleans, and all Louisiana west of the Mississippi, with boundaries undefined.

In Africa, England acquired Senegal, with the command of the slave-trade.

In the East Indies, France, according to a modification proposed and insisted upon by Bedford, only recovered in a dismantled and ruined state the little that she possessed on the first of January, 1749; England obtained in that region the undoubted sway.

In Europe, where Frederic was left to take care of himself, each power received back its own; Minorca, therefore, reverted to Great Britain.

"England," said the king, "never signed such a peace before, nor, I believe, any other power in Europe." "The country never," said the dying Granville, "saw so glorious a war or so honorable a peace." It maintains, thought Thomas Hollis, who was no flatterer of kings, the maritime power, the interests, the security, the tranquillity, and the honor of England. The judgment of mankind, out of England, then and ever since, has pronounced on it similar decisions. For once, to the surprise of everybody, Bute spoke well, rising in its defence in the house of lords. "I wish," said he, "no better inscription on my tomb than that I was its author."

On the morning of the ninth of December, the very day on which the preliminaries were to be discussed in parliament, Charles Townshend resigned his place as secretary at war. The opposition, on his resigning, had great hopes of his joining them. But, always preserving intimate relations with George III., he still aspired to the management of the plantations as third secretary of state; and when Pitt spoke against the peace for three hours and twenty minutes, — for the first hour admirably, then with flagging strength, "though even in his scrawls showing the masterly hand of a Raphael," and an "indisputable superiority to all others," — Charles Townshend, in a speech of but twenty-five minutes, made an answer "with great judgment, wit, and strength of argument." 1762.

On the division, the opponents of the treaty were but sixty-five against three hundred and nineteen. "Now," said the princess dowager, on hearing the great majority, "my son is indeed king of England." Yet Townshend, who had so much contributed to swell the vote, in the progress of his own ambition, had for a rival Halifax, his old superior at the board of trade, who was equally desirous of the department of the colonies, with the rank of a secretary of state.

1763. In the first days of January, 1763, it was publicly avowed what had long been resolved on, that a standing army of twenty battalions was to be kept up in America after the peace; and, as the ministry were all the while promising great things in point of economy, it was designed that the expense should be defrayed by the colonists themselves.

On the tenth day of February, 1763, the treaty was ratified; and five days afterwards, at the hunting-castle of Hubertsburg, a definitive treaty closed the war of the empress queen and the elector of Saxony against the great Frederic. The year of 1761 had ended for Frederic in gloom. Hardly sixty thousand men remained to him to resist the whole circle of his enemies. He has himself described the extremity of his distress, and has proudly bid the world learn from his example that, in great affairs, perseverance lifts statesmen above perils. Deserted most unexpectedly by George III., he found Russia suddenly transformed from an enemy to an ally, desirable from its strength, yet dangerous from the indiscretions of its sovereign. But when the seizure of domains of the Russian clergy by Peter III., and the introduction of an unwonted military system, had provoked the clergy and the army to effect a revolution by his dethronement and murder, his wife Catharine — a German princess, who had adopted the religion and carefully studied the language, the customs, and institutions of Russia; a woman of such endowments that she was held to be the ablest person in its court — was advanced, over the ruin of her husband, to the throne of the czars. More wise than her predecessor, she abandoned

projects of war and revenge; and in the midsummer of 1762, recalling the Russian army, she gave to the world the instructive lesson of moderation and neutrality. The territories of Prussia, which France had evacuated, Bute left, as he said, "to be scrambled for;" but there was no one to wrest them from Frederic; and, after seven years of unequalled effort against the aristocracies and despotisms of continental Europe, the hero of Prussia won a triumph for freedom by the glorious treaty of Hubertsburg, which gave security of existence to his state without the cession of a hand's-breadth of his dominions. 1763.

Thus was arrested the course of carnage and misery; of sorrows in private life infinite and unfathomable; of wretchedness heaped on wretchedness; of public poverty and calamity; of forced enlistments and extorted contributions; and all the unbridled tyranny of military power in the day of danger. France was exhausted of one half of her specie; in many parts of Germany, there remained not enough of men or of cattle to renew cultivation. The number of the dead in arms is computed at eight hundred and eighty-six thousand on the battle-fields of Europe, or on the way to them. And all this devastation and waste of life and of resources produced for those who planned it no gain whatever, nothing but weakness and losses. Not an inch of land was torn from the dominions of Frederic; not a limit to the boundaries of any state was contracted or advanced. Europe, in its territorial divisions, remained exactly as before. But in Asia and America how was the world changed!

In Asia, the victories of Clive at Plassey, of Coote at the Wandiwash, and of Watson and Pococke on the Indian seas, had given England the undoubted ascendency in the East Indies, opening to her suddenly the promise of untold treasures and territorial acquisitions without end.

In America, the Teutonic race, with its strong tendency to individuality and freedom, was become the master from the Gulf of Mexico to the poles; and the English tongue, which, but a century and a half before, had for its entire world a part only of two narrow islands on the outer verge

of Europe, was now to spread more widely than any that had ever given expression to human thought.

Go forth, then, language of Milton and Hampden, language of my country, take possession of the North American continent! Gladden the waste places with every tone that has been rightly struck on the English lyre, with every English word that has been spoken well for liberty and for man! Give an echo to the now silent and solitary mountains; gush out with the fountains, that as yet sing their anthems all day long without response; fill the valleys with the voices of love in its purity, the pledges of friendship in its faithfulness; and as the morning sun drinks the dewdrops from the flowers all the way from the dreary Atlantic to the Peaceful Ocean, meet him with the joyous hum of the early industry of freemen! Utter boldly and spread widely through the world the thoughts of the coming apostles of the people's liberty, till the sound that cheers the desert shall thrill through the heart of humanity, and the lips of the messenger of the people's power, as he stands in beauty upon the mountains, shall proclaim the renovating tidings of equal freedom for the race!

England enjoyed the glory of extended dominion, in the confident expectation of a boundless increase of wealth. But its success was due to its having taken the lead in the good old struggle for liberty; and was destined to bring fruits not so much to itself as to the cause of freedom and mankind.

France, of all the states on the continent of Europe, the most powerful by territorial unity, wealth, numbers, industry, and culture, seemed also, by its place, marked out for maritime ascendency. Set between many seas, it rested upon the Mediterranean, possessed harbors on the German Ocean, and embraced within its wide shores and jutting headlands the bays and open waters of the Atlantic; its people, infolding at one extreme the offspring of colonists from Greece, and at the other the hardy children of the Northmen, were called, as it were, to the inheritance of life upon the sea. The nation, too, readily conceived or appropriated great ideas, and delighted in bold resolves. Its

travellers had penetrated farthest into the fearful interior of unknown lands; its missionaries won most familiarly the confidence of the aboriginal hordes; its writers described with keener and wiser observation the forms of nature in her wildness, and the habits and languages of savage man; its soldiers, — and every lay Frenchman in America owed military service, — uniting beyond all others celerity with courage, knew best how to endure the hardships of forest life and to triumph in forest warfare. Its ocean chivalry had given a name to Carolina, and its merchants a people to Acadia. The French discovered the basin of the St. Lawrence, were the first to explore and possess the banks of the Mississippi, and planned an American empire that should unite the widest valleys and most copious inland waters of the world.

But New France was governed exclusively by the monarchy of its metropolis; and was shut against the intellectual daring of its philosophy, the liberality of its political economists, the movements of its industrial genius, its legal skill, and its infusion of Protestant freedom. Nothing representing the new activity of thought in modern France went to America; nothing had leave to go there but what was old and worn out. The government thought only to transmit to its American empire the exhausted polity of the middle ages; the castes of feudal Europe; its monarchy, its hierarchy, its nobility, and its dependent peasantry; while commerce was enfeebled by protection, stifled under the weight of inconvenient regulations, and fettered by exclusive grants. The land was parcelled out in seigniories; and, though quit-rents were moderate, transfers and sales of leases were burdened with restrictions and heavy fines. The men who held the plough were tenants and vassals, of whom few could either write or read. No village school was open for their instruction; nor was there one printing-press in either Canada or Louisiana. The central will of the administration, though checked by concessions of monopolies, was neither guided by local legislatures nor restrained by parliaments or courts of law. But France was reserved for a nobler influence in the New World than

that of propagating institutions which in the Old World were giving up the ghost; nor had Providence set apart America for the reconstruction of the decaying framework of feudal tyranny.

The colonists from England brought over the forms of the government of the mother country, and the purpose of giving them a better development and a fairer career in the western world. The French emigrants took with them only what belonged to the past, and nothing that represented modern freedom. The English emigrants retained what they called English privileges, but left behind in the parent country English inequalities, the monarch and nobility and prelacy. French America was closed against even a gleam of intellectual independence, nor did it contain so much as one dissenter from the Roman church; English America had English liberties in greater purity and with far more of the power of the people than England. Its inhabitants were self-organized bodies of freeholders, pressing upon the receding forests, winning their way farther and farther every year, and never going back. They had schools, so that in several of the colonies there was no one to be found, beyond childhood, who could not read and write; they had the printing-press, scattering among them books and pamphlets and many newspapers; they had a ministry chiefly composed of men of their own election. In private life, they were accustomed to take care of themselves; in public affairs, they had local legislatures and municipal self-direction. And now this continent, from the Gulf of Mexico to where civilized life is stayed by barriers of frost, was become their dwelling-place and their heritage.

Reasoning men in New York, as early as 1748, foresaw and announced that the conquest of Canada, by relieving the northern colonies from danger, would hasten their emancipation. An attentive Swedish traveller in that year heard the opinion, and published it to Sweden and to Europe; the early dreams of John Adams made the removal of "the turbulent Gallics" a prelude to the approaching greatness of his country. During the negotiations for peace, the kinsman and bosom friend of Edmund Burke

employed the British press to unfold the danger to England from retaining Canada; and the French minister for foreign affairs frankly warned the British envoy that the cession of Canada would lead to the independence of North America.

Unintimidated by the prophecy, and obeying a higher and wiser instinct, England happily persisted. "We have caught them at last," said Choiseul to those around him, on the definitive surrender of New France; and, at once giving up Louisiana to Spain, his eager hopes anticipated the speedy struggle of America for separate existence. So soon as the sagacious and experienced Vergennes, the French ambassador at Constantinople, a grave, laborious man, remarkable for a calm temper and moderation of character, heard the conditions of the peace, he also said to his friends, and even openly to a British traveller: "The consequences of the entire cession of Canada are obvious. I am persuaded," and afterwards he himself recalled his prediction to the notice of the British ministry, "England will ere long repent of having removed the only check that could keep her colonies in awe. They stand no longer in need of her protection; she will call on them to contribute towards supporting the burdens they have helped to bring on her; and they will answer by striking off all dependence." Lord Mansfield, also, used often to declare that he, too, "ever since the peace of Paris, always thought the northern colonies were meditating a state of independency on Great Britain."

The colonial system, being founded on injustice, was at war with itself. The principle which confined the commerce of each colony to its own metropolis was not only introduced by England into its domestic legislation, but was accepted as the law of nations in its treaties with other powers; so that, while it wantonly restrained its colonists, it was jealously and on its own theory rightfully excluded from the rich possessions of France and Spain. Those regions could be thrown open to British traders only by the general abrogation of the mercantile monopoly, which would extend the benefit to universal commerce, or by British conquest, which would close them once more against

all the world but the victors, even against the nations which had discovered and planted them. Leaving the nobler policy of liberty to find its defenders where it could, and wilfully, and as it were fatally, blind to what would follow, England chose the policy of conquest and exclusion; and had already acquired much of the empire of Spain in America, and nearly the whole of that of France in America and Asia.

The balance of the colonial system was destroyed for ever; there existed no longer the community of interest for its support on the part of the great maritime powers of Europe. The seven years' war, which doubled the debt of England, increasing it to seven hundred millions of dollars, had been begun by her for the possession of the Ohio valley. She achieved that conquest, but not for herself. Driven out from its share in the great colonial system, France was swayed by its own commercial and political interests, by its wounded pride, and by that enthusiasm which the support of a good cause enkindles, to take up the defence of the freedom of the seas, and heartily to desire the enfranchisement of the English plantations. This policy was well devised; and we shall see that England became not so much the possessor of the valley of the west as the transient trustee, commissioned to transfer it from the France of the middle ages to the free people who were making for humanity a new existence in America.

THE

AMERICAN REVOLUTION.

EPOCH SECOND.

HOW GREAT BRITAIN ESTRANGED AMERICA.

1763–1774.



HOW GREAT BRITAIN ESTRANGED AMERICA.

CHAPTER I.

THE CONTINENT OF EUROPE.

1763.

THE successes of the seven years' war were the triumphs of Protestantism. For the first time since the breach made in the church by Luther, the great Catholic powers, attracted by a secret consciousness of the decay of old institutions, banded themselves together to arrest the progress of change. In vain did the descendants of the feudal aristocracies lead to the field superior numbers; in vain did the pope bless their banners, as though uplifted against unbelievers. A wide-spread suspicion of insincerity weakened the influence of priestcraft, which relapsed from confident menace into a decorous compromise with skepticism. The Catholic monarchies, in their struggle against innovations, had encountered defeat; and the cultivated world stood ready to welcome a new era. The forms of religion, government, military service, and industry, which lent to the social organization of the middle age a compacted unity, were undermined; and the venerable fabric hung over the future as

1763.

> A mighty rock,
> Which has, from unimaginable years,
> Sustained itself with terror and with toil
> Over a gulf; and, with the agony
> With which it clings, seems slowly coming down.

The dynasties which received their consecration from the Roman church would cease to array themselves in arms against the offspring of the reformers; in the long
1763. tumultuous strife, Protestantism had fulfilled its political ends, and was never again to convulse the world.

But from Protestantism there came forth a principle of all-pervading energy, the common possession of civilized man, and the harbinger of new changes in the state. The life-giving truth of the Reformation was the right of private judgment. This personal liberty in affairs of conscience had, by the illustrious teachings of Descartes, been diffused among the nations which adhered to the old faith, under the more comprehensive form of philosophical freedom. Everywhere throughout intelligent Europe and America, the separate man was growing aware of the inhering right to the unfettered culture and enjoyment of his whole moral and intellectual being. Individuality was the groundwork of new theories in politics, ethics, and industry.

In Europe, where the human mind groped its way through heavy clouds of tradition, inquisitive activity turned from discussions on religion to the analysis of institutions and opinions. Having, in the days of Luther and Calvin, pleaded the Bible against popes and prelates and the one indivisible church, it now invoked the authority of reason, and applied it to every object of human thought: to science, speculative philosophy, and art; to the place of our planet in the order of the heavens, and the nature and destiny of the race that dwells on it; to every belief and every polity inherited from the past; to the priestly altar; to the royal throne. Skepticism was the method of the new reform; its tendency, revolution. Sad era for European humanity, which was to advance towards light and liberty only through universal doubt; and, before faith could be inspired by genial love to construct new governments, was doomed to gaze helplessly, as its received institutions crumbled away. The Catholic system embraced all society in its religious unity; Protestantism broke that religious unity into sects and fragments; philosophy carried analysis through the entire range of human thought and action, and appointed

each individual the arbiter of his own belief and the director of his own powers. Society would be organized again, but not till after the recognition of the rights of the individual. Unity would once more be restored, but not through the canon and feudal law; for the new Catholic element was the people.

Protestantism, albeit the reform in religion was the seed-plot of democratic revolutions, had at first been attended by the triumph of absolute monarchy throughout continental Europe, where even the Catholic powers themselves grew impatient of the authority of the pope over their temporal affairs. The Protestant king, who had just been the ally of our fathers in the seven years' war, pre- 1763. sented the first great instance of the passage of feudal sovereignty into unlimited monarchy, resting on a standing military force. Still surrounded by danger, his inflexible and uncontrolled will stamped the impress of harshness even on his necessary policy, of tyranny on his errors of judgment, and of rapine and violence on his measures for aggrandizement. Yet Prussia, which was the favorite disciple of Luther and the child of the Reformation, while it held the sword upright, bore with every creed and set reason free. It offered a shelter to Rousseau, and called in D'Alembert and Voltaire as its guests; it allowed Semler to hold the Bible under the light of criticism; it breathed into the boldly thoughtful Lessing widest hopes for the education of the race to a universal brotherhood on earth; it gave its youth to the teachings of Immanuel Kant, who, for power of analysis and universality, was inferior to none since Aristotle. "An army and a treasure do not constitute a power," said Vergennes; but Prussia had also philosophic liberty. All freedom of mind in Germany hailed the peace of Hubertsburg as its own victory. In every question of public law, Frederic, continuing to noble birth its prescriptive posts and leaving his people divided almost into castes, made the welfare of the kingdom paramount to privilege. He challenged justice under the law for the humblest against the highest. He among Protestants set the bright example of the equality of Catholics in worship and in civil

condition. To heal the conflict of franchises in the several provinces of his realm, he planned a general code, of which the opening pages promulgate great principles of human rights, as the basis of Prussian law. His ear was open to the sorrows of the poor and the complaint of the crushed; and, as in time of war he shared peril and want with the common soldier, in peace the peasant that knocked at his palace gate was welcome to a hearing. "Title and noble birth," he would say, "are tom-fooleries; all turns upon personal merit." "Kings are nothing but men, and all men are equal." Thus he arraigned the haughtiness of hereditary station, yet without forming purposes or clear conceptions of useful change in the political constitution of his kingdom. Holding no colonies, he could calmly
1763. watch their growth to independence; and might welcome the experiment of the widely extending American commonwealth.

If the number of active minds in cultivated Prussia was not yet large enough to give to forming opinion a popular aspect, in Russia, the immense empire which was extending itself along the Baltic and the Euxine, and had even crossed the Pacific to set up its banners in North-western America, free inquiry had something of solitary dignity, as the almost exclusive guest of the empress. First of the great powers of Europe in population, and exceeding all of them together in extent of European lands, the great Slavonic state was not proportionably strong and opulent. More than two thirds of its inhabitants were bondsmen and slaves, thinly scattered over vast domains. The slave held the plough; the slave bent over the anvil or threw the shuttle; the slave wrought the mines. The nobles, who directed the labor on their estates, in manufactures or the search for ores, read no books from abroad, and as yet had no native literature. The little science that faintly gleamed on the interior was diffused through the priests of the Greek church, themselves bred up in superstition; so that the Slavonic race, which was neither Protestant nor Catholic, which had neither been ravaged by the wars of religion nor educated by the discussions of creeds, — a new and rising

power in the world, standing on the confines of Europe and Asia, not wholly Oriental and still less of the west, — displayed the hardy but torpid vigor of a people not yet vivified by intelligence, still benumbed by blind belief, 1763. ignorance, and servitude. Its political unity existed in the strength of its monarchy, which organized its armies and commanded them without control; made laws, and provided for their execution; appointed all officers, and displaced them at will; directed the internal administration and the relations with foreign powers. The sovereign who held these absolute prerogatives was Catharine, a princess of a German Protestant house. Her ambition had secured the throne by conforming to her husband's religion, conniving at his deposition, and not avenging his murder. Her love of pleasure protected a licentiousness of moral opinion; her passion for praise sought to conciliate the good-will of men of letters: so that she blended the patronage of the new philosophy with the grandeur, the crimes, and the voluptuousness of Asiatic despotism. If she invaded Poland, it would be under the pretext of protecting religious freedom; if she moved towards the Bosphorus, she would surround herself with the halo of some imaginary restoration of the liberties of Greece. At home respecting the property of the nobles, yet seeking to diminish the number of slaves; an apparent devotee to the faith of the Greek church, yet giving religious freedom to the Catholic and the Protestant, and even printing the Koran for the Mussulmans of her dominions, — abroad, she bent neither to France nor to England. Her policy was thoroughly true to the empire that adopted her, and yet imbued with the philosophy of Western Europe. With deserts near at hand to colonize, with the Mediterranean inviting her flag, she formed no wish of conquering Spanish colonies on the Pacific; and we shall find her conduct towards England, in its relations with America, held in balance between the impulse from the liberal systems of thought which she made it her glory to cherish, and the principle of monarchy which was the basis of her power.

Soon after the peace of Hubertsburg, the youthful heir

to the Austrian dominions, which with Prussia and Russia shaped the politics of Eastern and Northern Europe, was elected the successor to the imperial crown of Germany. As an Austrian prince, it was the passion of Joseph II. to rival Frederic of Prussia. His mother, Maria Theresa, was a devotee to the church. The son, hating the bigotry in which he was nurtured, inclined to skepticism and unbelief; and asserted the right to freedom of mind with such integrity that he refused to impair it when afterwards it came to be exercised against himself. But, in the conflict which he provoked with the past, he mixed philanthropy with selfishness, and his hasty zeal to abolish ancient abuses was subordinate to a passion for sequestering political immunities, and concentrating all power in his own hands. As a reformer, he therefore failed in every part of his dominions; and as he brought no enduring good to Hungary, but rather an example of violating its constitution, so we shall find
1763. the Austrian court the only great European power which, both as an ally of England and an enemy to republics, remained inflexibly opposed to America. Yet the efforts of Joseph II., ill-judged and vain as they were, illustrate the universality of the new influence.

The German empire, of which he was so soon to be the head, was the creature and the symbol of the middle ages. Its life was gone: the forms of liberty were there, but the substance had perished under the baleful excess of aristocracy. The emperor was an elective officer, but his constituents were only princes. Of the nine electors, three were Roman Catholic archbishops, owing their rank to the choice of electoral chapters composed of nobles descended from an unmixed aristocratic ancestry. The sovereignty of the empire resided not in the emperor, but in the great representative body of the whole country, or Diet as it was called, which was composed of the emperor himself, of about one hundred independent prelates and princes, and of delegates from nine and forty independent towns. These last, besides the free cities of Bremen and Hamburg, had internally not only municipal liberties, but self-government, and were so many little republics dotted throughout

the land, from the Rhine to the Danube; but, in the diet, their votes counted as nothing. As the people on the one side were not heard, so the imperial crown on the other brought no substantial power; and, as the hundred princes were never disposed to diminish their separate independence, the German empire was but a shadow. 1763. The princes and nobles parcelled out the land, and ruled it in severalty, with an authority which there was none to dispute, to guide, or to restrain.

Nobility throughout Germany was strictly a caste, and therefore the more hateful to the educated commoner. The numerous little princes, absolute within their own narrow limits over a hopeless people, made up for the small extent of their dominions by self-adulation; and were justly described by a German poet as "demi-men, who, in perfectly serious stupidity, took themselves for beings of a higher nature." But their pride was a pride which licked the dust; "almost all of them were venal and pensionary."

The United Provinces of the Netherlands, the forerunner of nations in religious tolerance, were, from the origin of their confederacy, the natural friends of intellectual freedom. Here thought ranged through the wide domain of speculative reason; here the literary fugitive found an asylum, and the boldest writings, which in other countries circulated by stealth, were openly published to the world. But, in their European relations, the Netherlands were no more a great maritime power. They had opulent free ports in the West Indies, colonies in South America, Southern Africa, and the East Indies, with the best harbor in the Indian Ocean: their paths, as of old, were on the deep, and their footsteps in many waters. Ever the champions of the freedom of the seas and of neutral flags, they knew they could prosper only through commerce, and their system of mercantile policy was liberal beyond that of every nation in Europe. Even their colonial ports were less closely shut against the traffic with other countries. This freedom bore its fruits: they became wealthy beyond compare, reduced their debt, and were able so to improve their finances that their funds, bearing only two per cent interest, rose con-

siderably above par. But the accession of the stadholder William of Orange to the throne of England was fatal to the political weight of the Netherlands. From the rival of England, they became her ally, and almost her subordinate; and, guided by her policy, they exhausted their means in land forces and barriers against France, leaving their navy to decline. Hence arose the factions by which their councils were distracted and their strength paralyzed. The friends of the stadholder, who in 1763 was a boy of fifteen, sided with England, desired the increase of the army, were averse to expenditures for the navy, and, forfeiting the popular favor which they once enjoyed, inclined more and more towards monarchical interests. The patriots saw in their weakness at sea a state of dependence on Great Britain; they cherished a deep sense of the wrongs unatoned for and unavenged, which England, in the pride of strength and unmindful of treaties, had in the last war inflicted on their carrying-trade and their flag; they grew less jealous of France; they opposed the increase of the army; longed to restore the maritime greatness of their country, and, including much of the old aristocratic party among the merchants, longed to see their country thoroughly republican.

1763. The kingdom of Spain was become an absolute monarchy, with a French court and Italian ministers. "The royal power," says its apologist and admirer, "moved majestically in the orbit of its unlimited faculties." The individual to whom these prerogatives were confided was the bigoted, ignorant, kindly Charles III. A fond husband, a gentle master, really wishing well to his subjects, he had never read a book, not even in his boyhood with his teachers. He indulged systematically his passion for the chase; crossing half his kingdom to hunt a wolf, and chronicling his achievements as a sportsman. He kept the prayer-book and playthings of his childhood as amulets, and, yielding his mind to his confessors, never strayed beyond the established paths in politics and religion. Yet the light that shone in his time penetrated even his palace. Externally, he followed the direction of France; at home, the mildness of his nature, and some good sense, and even his timidity,

made him listen to the most liberal of his ministers: so that in Spain, also, criminal law was softened, the use of torture discountenanced, and the papal power and patronage more and more restrained. The fires of the inquisi- 1763. tion were extinguished, though its ferocity was not subdued; and even the Jesuits, as reputed apologists of resistance and regicide when kings are unjust, were on the point of being driven from the most Catholic country of Europe.

Spain ranked as the fourth European power in extent of territory, the fifth in revenue, while its colonies exceeded all others of the world beside, embracing nearly all South America, except Brazil and the Guianas; all Mexico and Central America; California, which had no bounds on the north; Louisiana, which came to the Mississippi, and near its mouth beyond it; Cuba, Porto Rico, and part of Hayti; and, midway between the Pacific and the Indian Ocean, the Marianna and Philippine groups of isles: in a word, the countries richest in soil, natural products, and mines, and having a submissive population of nearly twenty millions of souls.

In the midst of this unexampled grandeur of possession, Spain, which with Charles V. and Philip II. had introduced the mercantile system of restrictions, was weak and poor and wretched. It had no canals, no good roads, no manufactures. There was so little industry, or opportunity of employing capital, that, though money was very scarce, the rate of interest was as low at Madrid as in Holland. Almost all the lands were entailed in perpetuity, and were included in the immense domains of the grandees. These estates, never seen by their owners, were poorly cultivated and ill-managed; so that almost nothing fell to the share of the masses. Except in Barcelona and Cadiz, the nation presented the picture of misery and poverty.

And Spain, which by its laws of navigation reserved to itself all traffic with its colonies, and desired to make the Gulf of Mexico and the Caribbean its own close seas, allowed but four-and-thirty vessels, some of them small ones, to engage in voyages between itself and the continent of America on

the Atlantic side, and all along the Pacific; while but four others plied to and fro between Spain and the West India Isles. Having admirable harbors on every side, and a people on the coasts, especially in Biscay and Catalonia, suited to life at sea, all its fisheries, its coasting trade, its 1763. imports and exports, and all its colonies, scarcely employed sixteen thousand sailors. Such were the fruits of commercial monopoly, as illustrated by its greatest example.

The political relations of Spain were analogous. From a consciousness of weakness, it leaned on the alliance with France; and the deep veneration of the Catholic king for the blood of the Bourbons confirmed his attachment to the family compact. Besides, like France, and more than France, he had griefs against England. The English, in holding the rock of Gibraltar, hurled at him a perpetual insult; England encroached on Central America; England encouraged Portugal to extend the bounds of Brazil; England demanded a ransom for the Manillas; England was always in the way, defying, subduing, overawing, sending its ships into forbidden waters, protecting its smugglers, ever ready to seize the Spanish colonies themselves. The court of Spain was so wrapt up in the worship of kingly power, that by its creed such a monarch of such an empire ought to be invincible; it dreamed of a new and more successful armada, and hid its unceasing fears under gigantic propositions of daring. But the king, chastened by experience, had all the while an unconfessed misgiving; and, slyly timid, delighted in intrigue and menace, affected to be angry at the peace, and was perpetually stimulating France to undertake a new war, of which he yet carefully avoided the outbreak.

CHAPTER II.

THE CONTINENT OF EUROPE. FRANCE.

1763.

FRANCE, the "beautiful kingdom" of central Europe, was occupied by a most ingenious people, formed of blended elements, and still bearing traces not only 1763. of the Celtic but of the German race, of the culture of Rome and the hardihood of the Northmen. In the habit of analysis, it excelled all nations; its delight in logical exactness and in precision of outline and expression of thought gave the style alike to its highest efforts and to its ordinary manufactures, to its poetry and its prose, to the tragedies of Racine and the pictures of Poussin, as well as to its products of taste for daily use, and the adornment of its public squares with a careful regard to fitness and proportion. Its severe method in the pursuit of mathematical science corresponded to its nicety of workmanship in the structure of its ships-of-war, its canals, its bridges, its fortifications, and its public buildings. Light-hearted, frivolous, and vain, no people were more ready to seize a new idea, and to pursue it with rigid dialectics to all its consequences; none were so eager to fill, and as it were to burden, the fleeting moment with pleasure; and none so ready to renounce pleasure and risk life for a caprice, or sacrifice it for glory. Self-indulgent, they abounded in offices of charity. Often exhibiting heartless egoism, they were also easily inflamed with a most generous enthusiasm. Seemingly lost in profligate sensuality, they were yet capable of contemplative asceticism. To the superficial observer, they were a nation of atheists; and yet they preserved the traditions of their own Bossuet and Calvin, of Descartes and Fénelon.

In this most polished and cultivated land, whose govern-

ment had just been driven out from North America, whose remaining colonies collectively had but about seventy thousand white persons, whose commerce with the New World could only be a consequence of American independence, two opposite powers competed for supremacy: on the one side, monarchy, claiming to be absolute; on the other, free thought, which was becoming the mistress of the world.

Absolute power met barriers on every side. The arbitrary central will was circumscribed by the customs and privileges of the provinces, and the independence of its own agents. Many places near the king were held by patent; the officers of his army were poorly paid, and often possessed of large private fortunes; the clergy, though named by him, held office irrevocably, and their revenues, of a hundred and thirty millions of livres annually, were their own property.

His treasury was always in need of money, not by
1763. taxes only, but by loans, which require the credit that rests on an assured respect for law. Former kings had in their poverty made a permanent sale of the power of civil and criminal justice; so that the magistrates were triply independent, being themselves wealthy, holding their office of judges as a property, and being irremovable. The high courts of justice, or parliaments as they were called, were also connected with the power of legislation; for as they enforced only those laws which they themselves had registered, so they assumed the right of refusing to register laws; and, if the king came in person to command their registry, they would still remonstrate, even while they obeyed.

But the great impairment of royal power was the decay of the faith on which it had rested. France was no more the France of the middle age. The caste of the nobility, numbering, of both sexes and all ages, not much more than one hundred thousand souls, was overtopped in importance by the many millions of an industrious people; and its young men, trained by the study of antiquity, sometimes imbibed republican principles from the patriot writings of Greece and Rome. Authority, in its feeble conflict with free opinion, did but provoke licentiousness, and was braved with the invincible weapons of ridicule. Freedom was the

vogue, and it had more credit than the king. Skepticism found its refuge in the social circles of the capital; and, infusing itself into every department of literature and science, blended with the living intelligence of the nation. Almost every considerable house in Paris had pretensions as a school of philosophy. Derision of the established church was the fashion of the world; many waged warfare against every form of religion, and against religion itself, while some were aiming also at the extermination of the throne. The new ideas got abroad in remonstrances and sermons, comedies and songs, books and epigrams. 1763.

On the side of modern life, pushing free inquiry to the utmost contempt of restraint, though not to total unbelief, Voltaire employed his peerless wit and activity. The Puritans of New England changed their hemisphere to escape from bishops, and hated prelacy with the rancor of faction; Voltaire waged the same warfare with widely different weapons, and, writing history as a partisan, made the annals of his race a continuous sarcasm against the hierarchy of the Roman Catholic Church. His power reached through Europe; he spoke to the free-thinkers throughout the cultivated world. In the age of skepticism, he was the prince of scoffers; when philosophy hovered round saloons, he excelled in reflecting the brilliantly licentious mind of the intelligent aristocracy. His great works were written in retirement, but he was himself the spoiled child of society. He sunned himself in its light, and dazzled it by concentrating its rays; he was its idol, and he courted its idolatry. Far from breaking with authority, he loved the people as little as he loved the Sorbonne. The complaisant courtier of sovereigns and ministers, he could even stand and wait for smiles at the toilet of the French king's mistress, or prostrate himself in flattery before the Semiramis of the north; willing to shut his eyes on the sorrows of the masses, if the great would but favor men of letters. He it was, and not an English poet, that praised George I. of England as a sage and a hero, who ruled the universe by his virtues; he could address Louis XV. as a Trajan; and, when the French king

took a prostitute for his associate, it was the aged Voltaire who extolled the monarch's mistress as an adorable Egeria. "The populace which has its hands to live by," such are the words and such the sentiments of Voltaire, and as he believed of every landholder, "has neither time nor capacity for self-instruction; they would die of hunger before becoming philosophers. It seems to me essential that there should be ignorant poor. Preach virtue to the lower classes; when the populace meddles with reasoning, all is lost."

The school of Voltaire did not so much seek the total overthrow of despotism as desire to make his philosophy its counsellor, and shielded the vices of the oligarchy by proposing love of self as the corner-stone of morality. The great view which pervades his writings is the humanizing influence of letters, and not the regenerating force of truth. He welcomed, therefore, every thing which softened barbarism, refined society, and stayed the cruelties of superstition; but he could not see the hopeful coming of popular power, nor hear the footsteps of Providence along the line of centuries: so that he classed the changes in the government of France among accidents and anecdotes. Least of all did he understand the tendency of his own untiring labors. He would have hated the thought of hastening a democratic revolution; and, in mocking the follies and vices of French institutions, he harbored no purpose of destroying them. "Spare them," he would say, "though they are not all of gold and diamonds. Take the world as it goes; if all is not good, all is passable."

Thus skepticism proceeded unconsciously in the work of destruction, invalidating the present, yet unable to construct the future; for good government is not the creation of skepticism. Her garments are red with blood, and ruins are her delight; her despair may stimulate to voluptuousness and revenge, she never kindled with the disinterested love of man.

The age could have learned, from the school of Voltaire, to scoff at what is gone by; but the studious and observing Montesquieu discovered "the title-deeds of humanity," as they lay buried under the rubbish of privileges, conventional

charters, and statutes. His was a generous nature, that disdained the impotence of epicureanism, and found no resting-place in doubt. He saw how society, notwithstanding all its revolutions, reposes on principles that do not change. He questioned the laws of every nation to unfold to him the truth which had inspired them; and, behind the confused masses of positive rules, he recognised the anterior existence and reality of justice. Full of the inquiring spirit of his time, he demanded tolerance for every opinion; and to him belongs the peaceful glory of leading the way to a 1763. milder and more effective penal code. Shunning speculative conjecture, he limited his reasonings to the facts in European political life, and, though he failed to discover theoretically the true foundation of government, he revived and quickened faith in the principles of political liberty, and showed to the people of France how monarchy may be tempered by a division of its power, and how republics, more happy than those of Italy, may save themselves from the tyranny of a single senate.

That free commerce would benefit every nation, is a truth which Montesquieu is thought to have but imperfectly perceived. The moment was come when the languishing agriculture of his country would invoke science to rescue it from oppression by entreating the liberty of industry and trade. The great employment of France was the tillage of land, than which no method of gain is more grateful in itself, or more worthy of freemen, or more happy in rendering service to the whole human race. No occupation is nearer heaven. But authority had invaded this chosen domain of labor: as if protection of manufactures needed restrictions on the exchanges of the products of the earth, the withering prohibition of the export of grain had doomed large tracts of land to lie desolately fallow. Indirect taxes, to the number of at least ten thousand, bringing with them custom-houses between provinces, and custom-houses on the frontier, and a hundred thousand tax-gatherers, left little "to the peasant but eyes to weep with." The treasury was poor, for the realm was poor; and the realm was poor, because the husbandman was poor. While

every one, from the palace to the hovel, looked about for a remedy to this system of merciless and improvident spoliation, there arose a school of upright and disinterested men, who sought relief for the servitude of labor by looking beyond the precedents of the statute-book and forms of government, to universal principles and the laws of social life; beyond the power of the people or of princes, to the power of nature. They found that man in society renounces no natural right, but remains the master of his person and his faculties, with the right to labor, and to enjoy or exchange the fruits of his labor. Exportation has no danger, for demand summons supplies; dearness need not appall, for high prices, quickening production, as manure does the soil, are their own certain as well as only cure. So there should be no restriction on commerce and industry, internal or external; competition should supersede monopoly, and private freedom displace the regulating supervision of the state.

Such was "the liberal and generous" system of the political economists who grouped themselves round the calm and unpretending Quesnai; startling the world
1763. by their axioms and tables of rustic economy, as though a discovery had been made like that of the alphabet or of metallic coin.

The new ideas fell, in France, on the fruitful genius of Turgot, who came forward in the purity of studious philosophy to take part in active life. He was well-informed and virtuous, most amiable, and of a taste the most delicate and sure; a disinterested man, austere, yet holding it to be every man's business to solace those who suffer; wishing the effective accomplishment of good, not his own glory in performing it. For him the human race was one great whole, composed, as the Christian religion first taught, of members of one family under a common Father; always, through calm and through "agitations," through good and through ill, through sorrow and through joy, on the march, though at "a slow step," towards a greater perfection.

To further this improvement of the race, opinion, he insisted, must be free, and liberty conceded to industry in all

its branches and in all its connections. "Do not govern the world too much," he repeated, in the words of an earlier statesman. Corporations had usurped the several branches of domestic trade and manufactures: Turgot vindicated the poor man's right to the free employment of his powers. Statesmen, from the days of Philip II. of Spain, had fondly hoped to promote national industry and wealth by a system of prohibitions and restrictions, and had only succeeded in deceiving nations into mutual antipathies, which did but represent the hatreds and envy of avarice: Turgot would solve questions of trade abstractly from countries as well as from provinces, and make it free between man and man and between nation and nation; for commerce is neither a captive to be ransomed, nor an infant to be held in leading-strings. Thus he followed the teachings of 1763. nature, living as one born not for himself, but for the service of truth and the welfare of mankind.

In those days, the people toiled and suffered with scarce a hope of a better futurity, even for their posterity. Turgot employed his powers and his fortune as a trust to relieve the sorrows of the poor; but, under his system of uncontrolled individual freedom, the laborer, from the pressure of competition, might underbid his fellow-laborer till his wages should be reduced to a bare support. Thus the skeptical philosopher, the erudite magistrate, the philanthropic founder of the science of political economy, proposed what they could for human progress. From the discipleship of Calvin, from the republic of Geneva, from the abodes of poverty, there sprung up a writer through whom the "ignorant poor" breathed out their wrongs, and a new class gained a voice in the world of published thought. With Jean Jacques Rousseau, truth was no more to employ the discreet insinuations of academicians, nor seek a hearing by the felicities of wit, nor compromise itself by exchanging flattery for the favor of the great, nor appeal to the interests of the industrial classes. Full of weaknesses and jealousies, shallow and inconsiderate, betrayed by poverty into shameful deeds, yet driven by remorse to make atonement for his vices, and possessing a deep and real feeling for humanity,

in an age of skepticism and in the agony of want, tossed from faith to faith, as from country to country, he read the signs of death on the features of the past civilization; and in tones of sadness, but not of despair, clinging always to faith in man's spiritual nature, and solacing the ills of life by trust in God, he breathed the spirit of revolution into words of flame. Fearlessly questioning all the grandeurs of the world, despots and prelates and philosophers and aristocrats and men of letters, the manners, the systems of education, the creeds, the political institutions, the superstitions of his time, he aroused Europe to the inquiry if there did not exist a people. What though the church cursed his writings with its ban, and parliaments burned them at the gibbet by the hangman's hand? What though France drove him from her soil, and the republic of his birth disowned her son? What though the men of letters hooted at his wildness, and the humane Voltaire himself led the cry against this "savage charlatan," "this beggar," who sought "fraternal union among men" by setting "the poor to plunder all the rich"? Without learning or deep philosophy, from the woes of the world in which he had suffered, from the wrongs of the down-trodden which he had shared, he derived an eloquence which went to the heart of Europe. He lit up the darkness of his times with flashes of sagacity, and spoke out the hidden truth: that the old social world was smitten with inevitable decay; that, if there is life still on earth, it is the masses alone that live.

At the very time when Bedford and Choiseul were
1763. concluding the peace that was ratified in 1763, Rousseau, in a little essay on the social compact, published to the millions that, while true legislation has its source in divinity, the right to exercise sovereignty belongs inalienably to the people; but, rushing eagerly to the doctrine which was to renew the world, he lost out of sight the personal and individual freedom of mind. The race, as it goes forward, does not let fall one truth, but husbands the fruits of past wisdom for the greater welfare of the ages to come. Before government could grow out of the consenting mind of all, there was need of all the teachers who had asserted

freedom for the reason of each separate man. Rousseau claimed power for the public mind over the mind of each member of the state, which would make of democracy a homicidal tyranny. He did not teach that the freedom, and therefore the power, of the general mind, rests on the freedom of each individual mind; that the right of private judgment must be confirmed before the power of the collective public judgment can be justified; that the sovereignty of the people presupposes the entire personal freedom of each citizen. He demanded for his commonwealth the right of making its power a religion, its opinions a creed, and of punishing every dissenter with exile or death; so that his precepts were at once enfranchising and despotic, involving revolution, and constituting revolution an exterminating despotism. This logical result of his lessons was at first less observed. His fiery eloquence, and the concerted efforts of men of letters who fashioned anew the whole circle of human knowledge, overwhelmed 1763. the priesthood and the throne. The ancient forms of the state and the church were still standing; but monarchy and the hierarchy were as insulated columns, from which the building they once belonged to had crumbled away; where statues, formerly worshipped, lay mutilated and overthrown among ruins that now sheltered the destroyer.

CHAPTER III.

ENGLAND AND ITS DEPENDENCIES.

1763.

NORTH of the channel that bounded France, liberty was enjoyed by a wise and happy people, whose domestic
1763. character was marked by moderation, and, like its temperate clime, would sustain no extremes. The opinions on religion and on government, which speculative men on the continent of Europe were rashly developing without qualification or reserve, were derived from England. She rose before the philosophers as the asylum of independent thought, and upon the nations as the home of revolution, where liberty emanated from discord and sedition. There free opinion had carried analysis boldly to every question of faith as well as of science. English freethinkers had led the way in the reaction of Protestant Europe against the blind adoration of the letter of the Bible. English deists, tracing Christianity to reason and teaching that it was as old as creation, were the forerunners of the German rationalists. English treatises on the human understanding were the sources of the materialism of France. In the atmosphere of England, Voltaire ripened the speculative views which he published as "English Letters;" there Montesquieu sketched a government which should make liberty its end; and from English writings and example Rousseau drew the idea of a social compact. Every Englishman discussed public affairs; busy politicians thronged the coffee-houses; petitions were sent to parliament from popular assemblies; cities, boroughs, and counties framed addresses to the king: and yet such was the stability of the institutions of England amidst the factious

conflicts of parties, such her loyalty to law even in her change of dynasties, such her self-control while resisting power, such the fixedness of purpose lying beneath 1763. the restless enterprise of her intelligence, that the ideas which were preparing radical changes in the social system of other monarchies held their course harmlessly within her borders, as winds playing capriciously round some ancient structure whose massive buttresses tranquilly bear up its roof and towers, and pinnacles and spires.

The Catholic kingdoms sanctified the kingly power by connecting it with the church; Prussia was as yet the only great modern instance of a monarchical state resting on an army; England limited her monarchy by law. Her constitution was venerable from its antiquity. Some traced it to Magna Charta, some to the Norman conquest, and some to the forests of Germany, where acts of legislation were debated and assented to by the people and by the nobles; but it was at the Revolution of 1688 that the legislature definitively assumed the sovereignty by dismissing a monarch from the kingdom, as a landlord might dismiss a farmer from his holding. The prince might dream no more of unbounded prerogatives. In England, monarchy, in the Catholic sense, had gone off; the dynasty on the throne had abdicated the dignity of hereditary right and the sanctity of divine right, and consented to wear the crown in conformity to a statute, so that its title was safe only with the constitution. The framework of government had for its direct end not the power of its chief, but personal liberty and the security of property. The restrictions, which were followed by such happy results, had been imposed and maintained under the lead of the aristocracy, to whom the people, in its gratitude for a bulwark against arbitrary power and its sense of inability itself to reform the administration, had likewise capitulated; so that England was become an aristocratic republic, with a king as the emblem of a permanent executive.

In the Catholic world, the church, as the self-sustained interpreter of the divine will, assumed to exercise a control over the state, and might interpose to protect itself and the

people against feudal tyranny by appeals to that absolute truth which it claimed and was acknowledged to represent. In England, the hierarchy had no independent existence; and its connection with the state was purchased by its subordination. None but conformists could hold office; but, in return, the church, in so far as it was a civil establishment, was the creature of parliament; a statute prescribed the articles of its creed, as well as its book of prayer; it was not even intrusted with a co-ordinate power to reform its own abuses; any attempt to do so would have been crushed as a movement of usurpers. Convocations were infrequent; and, if laymen were not called to them, it was because the assembly was merely formal. Through parliament, the laity amended and regulated the church. The bishops were still elected by a chapter of the clergy, but the privilege
1763. existed only in appearance; the crown, which gave leave to elect, named also the person to be chosen, and deference to its nomination was enforced by the penalties of a præmunire.

The laity, too, had destroyed the convents and monasteries which, under other social forms, had been the schools, the poor-houses, and the hostelries of the land; and all the way from Netley Abbey to the rocky shores of Northumberland, and even to the remote loneliness of Iona, the country was strewn with the broken arches and ruined towers and tottering columns of buildings, which once rose in such numbers and such beauty of architecture that they seemed like a concert of voices chanting a perpetual hymn of praise. Moreover, the property of the church, which had been enjoyed by the monasteries that undertook the performance of the parochial offices, had fallen into the hands of impropriators; so that funds set apart for charity, instruction, and worship, were become the plunder of laymen, who seized the great tithes and left but a pittance to their vicars.

The lustre of spiritual influence was tarnished by this strict subordination to the temporal power. The clergy had never slept so soundly over the traditions of their religion; and the dean and chapter, at their cathedral stalls,

seemed like strangers encamped among the shrines, or lost in the groined aisles which the fervid genius of men of a different age and a heartier faith had fashioned; filling the choir with "religious light" from the blended colors of storied windows, imitating the lambent flame in the adornment of the tracery, and carving in stone the flower and the leaf of the garden to embellish the light column, whose shafts soared upwards, as if to reach the sky.

The clergy were Protestant, and married. Their great dignitaries dwelt in palaces, and used their vast revenues not to renew cathedrals or beautify chapels, or build new churches or endow schools; the record of their wealth was written in the rolls of the landed gentry, among whom the fortunes they accumulated introduced their children. In the house of lords, the church had its representative seats among the barons, and never came in conflict with the aristocracy with which its interests were identified.

The hereditary right of the other members of the house of lords was such a privilege as must, in itself, always be hateful to a free people, and always be in danger; yet, while in France the burgesses were preparing to overthrow the peerage, in England there was no incessant struggle to be rid of it. The reverence for its antiquity was enhanced by pleasing historical associations. But for the aid of the barons, Magna Charta would not have been attained; and, but for the nobility and gentry, the Revolution of 1688 would not have succeeded. A sentiment of gratitude was therefore blended in the popular mind with submission to rank. 1763.

Besides, nobility was not a caste, but rather an office, personal and transmissible to but one. "The insolent prerogative of primogeniture" made its most conspicuous victims in the bosom of the families which it kept up, and which themselves set the leading example of resignation to its injustice. Not younger sons only, who might find employment in public office, or at the bar, or in the church, the army, or navy, or in mercantile adventures and pursuits, — the daughters of the great landed proprietors, from a delicate spirit of self-sacrifice, characteristic of the sex,

applauded the rule by which they were disinherited, and placed their pride in upholding a system which left
1763. them dependent or destitute. In the splendid houses of their parents, they were bred to a sense of their own poverty, and were bred to endure that poverty cheerfully. They would not murmur against the system, for their sighs might have been taunted as the repinings of selfishness. They all revered the head of the family, and by their own submission taught the people to do so. Even the mother who might survive her husband, after following him to his tomb in the old manorial church, returned no more to the ancestral mansion, but vacated it for the heir.

The daughters of the nobility were left poor, and most of them necessarily remained unmarried or wedded persons of inferior birth. The younger sons became commoners; and, though they were in some measure objects of jealousy, because they used their relationship to appropriate to themselves the chief benefits of the public patronage, yet, as they really were commoners, and entered the body of the people, they kept up an intimate sympathy between classes. Besides, the road to the peerage, as all knew, lay open to all. It was a body constantly invigorated by recruits from the greatest men of England. Had it been left to itself, it would have perished long before. Once, having the gentle Addison for a supporter of the measure, it voted itself to be a close order, but was saved by the house of commons from consummating its selfish purpose, where success would have prepared its ruin; and it remained that the poorest man who ever struggled upwards in the rude competition of the law might come to preside in the house of lords. Thus the hereditary branch of the legislature was doubly connected with the people; the larger part of its sons and daughters descended to the station of commoners, and commoners were at all times making their way to its honors. In no country was rank so privileged or were classes so blended.

The peers, too, were, like all others, amenable to the law; and, though the system of finance bore evidence of their controlling influence in legislation, yet their houses, lands, and property were not exempt from taxation. The provi-

sions of law were certainly most unequal, yet, such as they were, they applied indiscriminately to all.

One branch of the legislature was reserved to the hereditary aristocracy of landholders: the house of commons partook of the same character; it represented every blade of grass in the kingdom, but not every laborer, the land of England, but not her men. No one but a landholder was qualified to be elected into that body; and most of those who were chosen were scions of the great families. Sons of peers, even the eldest son, while his father lived, could sit in the house of commons; and there might be, and usually were, many members of one name. 1763.

The elective franchise was itself a privilege, and depended on capricious charters or immemorial custom rather than on reason. Of the five hundred and fifty-eight members of whom the house of commons then consisted, the counties of England, Wales, and Scotland elected one hundred and thirty-one as knights of the shires. These owed their election to the good-will of the owners of great estates in the respective counties; for it was a usage that the tenant should vote as his landlord directed, and his compliance was certain, for the vote was given by word of mouth or a show of hands. The representatives of the counties were therefore, as a class, country gentlemen, independent of the court. They were comparatively free from corruption, and some of them fervidly devoted to English liberty.

The remaining four hundred and twenty-seven members, "citizens and burgesses," were arbitrarily distributed among cities, towns, and boroughs, with little regard to wealth or population. The bare name of Old Sarum, where there was not so much as the ruins of a town, and scarce so much housing as a sheep-cot, or more inhabitants than a shepherd, sent as many representatives to the grand assembly of lawmakers as the whole county of York, so numerous in people and powerful in riches. The lord of the borough of Newport, in the Isle of Wight, named two members, while Bristol elected no more; the populous capital of Scotland, but one; and Manchester, none. Two hundred and fifty-four members had such small constituencies that about five

thousand seven hundred and twenty-three votes sufficed to choose them; fifty-six were elected by so few that, had the districts been equally divided, six and a half votes would have sufficed for each member. In an island counting more than seven and a half millions of people, and at least a million and a half of mature men, no one could pre-
1763. tend that it required more than ten thousand voters to elect the majority of the house of commons; but, in fact, it required the consent of a far less number.

London, Westminster, and Bristol, and perhaps a few more of the larger places, made independent selections; but, they were so few, independence seemed secure in London and Westminster alone. The boroughs were nearly all dependent on some great proprietor or on the crown. The burgage tenures belonged to men of fortune; and, as the elective power attached to borough houses, the owner of those houses could compel their inhabitants to elect whom he pleased. The majority of the members were able to command their own election; sat in parliament for life, as undisturbed as the peers; and bequeathed to their children the property and influence which secured their seats. The same names occur in the rolls of parliament, at the same places, from one generation to another.

The exclusive character of the representative body was completed by the prohibition of the publication of the debates, and by the rule of conducting important debates with closed doors. Power was with the few: the people was swallowed up in the lords and commons.

Such was the parliament whose favor was the tenure of office, whose judgment was the oracle of British statesmen. In those days, they never indulged in abstract reasoning, and cared little for general ideas. Theories and philosophy from their lips would have been ridiculed or neglected; for them, the applause at St. Stephen's weighed more than the approval of posterity, more than the voice of God in the soul. That hall was their arena of glory, their battle-field for power. They pleaded before that tribunal, and not in the forum of humanity. They studied its majorities, to know on which side was "the best of the lay" in the contest

of factions for office. How to meet parliament was the minister's chief solicitude; and he hazarded his political fortunes on its decision. He valued its approval more than the affections of mankind, and could boast that this servitude, like obedience to the Divine Law, was perfect freedom. 1763.

The representation in parliament was manifestly inadequate, and might seem to introduce that unmixed aristocracy which is the worst government under the sun; but the English system was so tempered with popular franchises that faithful history must place it among the very best which the world had seen. If no considerable class desired to introduce open and avowed republicanism, no British statesman of that century had as yet been suspected of deliberately planning how to narrow practical liberty, by substituting the letter of the constitution for its vital principle. It was the custom of parliament to listen with deference to the representations of the opulent industrial classes, and the house of commons was sympathetic with the people. Hence the exclusiveness of the electoral system of the British was less considered than the fact that their country alone among monarchies really possessed a legislative constitution. In the pride of comparison with France and Spain, they cared not to hear of its inadequacies; as patriots, they would maintain the perfection of their institutions, and looked down with scorn on nations subjected to the unlimited authority and unbounded prerogatives of the prince. The idea of the excellence of representative government veiled the inconsistencies in its practice.

Men considered too the functions of parliament, and especially of the house of commons. It protected property by taking from the executive the power of taxation, and establishing in theory the principle that taxes could be levied only with the consent of the people. It maintained the supremacy of the civil power by making the grants for the army and navy annual, limiting the number of troops that might be kept up, and leaving the mutiny bill to expire once a year. All appropriations, except the civil list for maintaining the dignity of the crown, it made

specific and only for the year. As the great inquest of the nation, it examined how the laws were executed, and was armed with the office of impeachment. By its control of the revenue, it was so interwoven with the administration that it could force the king to accept, as advisers, even men who had most offended him; so that it might seem doubtful whether he or parliament designated the ministers.

1763.

The same character of aristocracy was imprinted on the administration. The king reigned, but, by the theory of the constitution, was not to govern. He appeared in the privy council on occasions of state; but Queen Anne was the last of the English monarchs to attend the debates in the house of lords, or to preside at a meeting of the ministry. In the cabinet, according to the rule of aristocracy, every question was put to vote; and, after the vote, the dissentients must hush their individual opinions, and present the appearance of unanimity. The king himself must be able to change his council, or must yield. Add to this, that the public offices were engrossed by a small group of families, that favor dictated appointments of bishops in the church, of officers in the navy, and still more in the army, in which even boys at school held commissions, and we shall find that the higher class of England absorbed all the functions of administration, and that its cabals were more respected than majesty itself.

Yet, even here, the spirit of "the great," as they were called, was reined in. Every man claimed a right to sit in judgment on the administration; and the mighty power of public opinion, embodied in a free press, pervaded, checked, and, in the last resort, nearly governed the whole.

Nor must he who will understand the English institutions leave out of view the character of the enduring works which had sprung from the salient energy of the English mind. Literature had been left to develop itself. William of Orange was foreign to it; Anne cared not for it; the first George knew no English; the second, not much. Devotedness to the monarch is not impressed on English literature; but it willingly bore the mark of its aristocracy. "Envy

must own I live among the great," was the boast of the most finished English poet of the eighteenth century.

Neither the earlier nor the later literature put itself at war with the country or its classes. The philosophy of Bacon, brilliant with the richest lustre of a creative imagination and extensive learning, is marked by moderation as well as grandeur; and, like that principle of English institutions which consults precedents and facts rather than theories, it prepared the advancement of science by the method of observation. Newton was a contented 1763. member of a university, and never thought to rebel against the limits that nature has set to the human powers in the pursuit of science.

The inmost character of the English mind, in the various epochs of its history, was imprinted on its poetry. Chaucer, a man of a most wonderfully comprehensive nature, living in the days when friars were as thick as motes in the sunbeam, and the land, at least in legends, was "fulfilled of faerie," and the elf-queen with her jolly company danced in many a green mead, recalls the various manners and humors of the English nation in his age, the chivalry and thought, and mirth and sadness, that beguiled the pilgrimages, or lent a charm to the hospitality of Catholic England. Spenser clothed in allegory the purity of the reformed religion which the lion of England defended against the false arts of Rome. Shakespeare, "great heir of fame," rising at the inspiring moment of the victory of English nationality and Protestant liberty, master of every chord that vibrates in the human soul, and knowing all that can become the cottage or the palace, the town or the fields and forests, the camp or the banqueting-hall, unfolded the panorama of English history, and embodied in "easy numbers" whatever is wise and lovely, and observable in English manners and social life.

Milton, with his heroic greatness of mind, was the sublime representative of English republicanism, eager to quell the oppressor, but sternly detesting libertinism and disorder, and exhorting to "patience," even in the days of the later Stuarts. Dryden, living through the whole era of revolu-

tions, yielded to the social influences of a vicious age, and reproduced in his verse the wayward wavering of the English court between Protestantism and the Roman Catholic worship, between voluptuousness and faith; least read,
1763. because least truly national. And Pope was the cherished poet of English aristocratic life, as it existed in the time of Bolingbroke and Walpole; flattering the great with sarcasms against kings; an optimist, proclaiming order as the first law of Heaven. None of all these, not even Milton, provoked to the overthrow of the institutions of England.

Nor had the skepticism of modern philosophy penetrated the mass of the nation, or raised vague desires of revolution. It kept, rather, what was held to be the best company. It entered the palace during the licentiousness of the two former reigns; and though the court was now become decorous and devout, still the nobility, and those who in that day were called "the great," affected free-thinking as a mark of high breeding, and laughed at the evidence of piety in any one of their order. But the spirit of the people rebelled against materialism; if worship, as conducted in the parish church, had no attractive warmth, they gathered round the preacher in the fields, eager to be assured that they had within themselves a spiritual nature and a warrant for their belief in immortality; yet, under the moderating influence of Wesley, giving the world the unknown spectacle of a fervid reform in religion, combined with unquestioning deference to authority in the state.

English metaphysical philosophy itself bore a character of moderation analogous to English institutions. In disregard to the traditions of the Catholic Church, Locke had denied that thought implies an immaterial substance; and Hartley and Priestley asserted that the soul was but of flesh and blood; but the more genial Berkeley, armed with "every virtue," insisted rather on the certain existence of the intellectual world alone; while, from the bench of English bishops, Butler pressed the analogies of the material creation itself into the service of spiritual life, and, with the authority of reason, taught the supremacy of conscience. If Hume

embodied the logical consequences of the sensuous philosophy in the most skilfully constructed system of idealism which the world had ever known, his own countryman, Reid, in works worthy to teach the youth of a republic, illustrated the active powers of man and the reality of right; Adam Smith found a criterion of duty in the universal sentiment of mankind; and the English dissenter, Price, enforced the eternal, necessary, and unchanging distinctions of morality. So philosophic freedom 1763. in Britain rebuked its own excesses, and, self-balanced and self-restrained, never sought to throw down the august fabric which had for so many centuries stood before Europe as the citadel of liberty.

The blended respect for aristocracy and for popular rights was impressed upon the courts of law. They were charged with the protection of every individual without distinction, securing to the accused a trial by sworn men, who were taken from among his peers, and held their office for but one short term of service. And especially the judges watched over the personal liberty of every Englishman, with power on the instant to set free any one illegally imprisoned, even though in custody by the king's express command.

At the same time, the judiciary, with a reputation for impartiality, in the main well deserved, was by its nature conservative, and by its constitution the associate and the support of the house of lords. Westminster Hall, which had stood through many revolutions and many dynasties, and was become venerable from an unchanged existence of five hundred years, sent the first officer in one of its courts, from however humble an origin he might have sprung, to take precedence of the nobility of the realm, and act as president of the chamber of peers. That branch of the legislature derived an increase of its dignity from the great lawyers whom the crown, from time to time, was accustomed to ennoble; and, moreover, it formed of itself a part of the judicial system. The house of commons, whose members, from their frequent elections, best knew the temper of the people, possessed exclusively the right to origi-

nate votes of supply; but the final judgment on all questions of law respecting property rested with the house of lords.

The same cast of aristocracy, intermingled with popularity, pervaded the systems of education. From climate, compact population, and sober national character, 1763. England was capable beyond any other country in the world of a system of popular education. Nevertheless, it had none. The mass of its people was left ignorant how to read or write.

But the benevolence of Catholic ages, emulated also in later times, had benefited science by endowments, which in their conception were charity schools, founded by piety for the education of poor men's sons; where a place might sometimes be awarded to favor, but advancement could be obtained only by merit, and the sons of the aristocracy, having no seminaries of their own, grouped themselves, as at Eton or Westminster or Harrow or Winchester, round the body of the scholars on the foundation; submitting like them to the accustomed discipline, even to the use of the rod, at which none rebelled, since it fell alike on all.

The same constitution marked the universities. The best scholars on the foundation were elected from the public schools to the scholarships in the several colleges; and formed the central influence of industry, order, and ambition, round which the sons of the opulent clustered. Thus the genius of the past claimed the right to linger in the streets of mediæval Oxford; and the sentiment of loyalty, as in earlier days, still hovered over the meadows of Christ Church and the walks of Maudlin; but, if the two universities were both loyal to the throne and devoted to the church, it was from their own free choice, and not from deference to authority or command. They had proved their independence and had resisted kings. If they were swayed on the surface by ministerial influences, they were at heart intractable and self-determined. The king could neither appoint their officers nor prescribe their studies, nor control their government nor administer their funds. The endowments of the colleges, which, in their origin, were the gifts of piety and charity, were held as property, independent of the

state; and were as sacred as the estates of any one of the landed gentry. The sons of the aristocracy might sometimes be prize-men at Oxford or wranglers at Cambridge; but, if they won collegiate honors, it was done fairly by merit alone. In the pursuit, the eldest sons of 1763. peers stood on no vantage-ground over the humblest commoner; so that the universities in their whole organization upheld the institutions of England, and found in them the security of their own privileges.

It might be supposed that the gates of the cities would have been barred against the influence of the aristocracy; but it was not so. That influence was interwoven with the prosperity of the towns. Entails were not perpetual; land was always in the market; estates were often encumbered; and the national debt, which was intimately connected with all private credit and commercial transactions, was in fact a mortgage upon all the soil of the kingdom. The swelling expenses of the government increased its dependence on the moneyed class; and the leading minister needed the confidence of the city as well as of the country and the court. Besides, it was not uncommon to see a wealthy citizen toiling to amass yet greater wealth, that he might purchase land and found a family; or giving his richly dowered daughter in marriage to a peer. Everybody formed a part of the aristocratic organization: a few desired to enter the higher class; the rest sought fortune in serving it.

Moreover, the interests of the trade of the nation had precedence of the political interests of the princes. The members of the legislature watched popular excitements, and listened readily to the petitions of the merchants; and these, in their turn, did not desire to see one of their own number charged with the conduct of the finances as chancellor of the exchequer, but wished rather for some member of the aristocracy, friendly to their interests. They preferred to speak through such a one, and rebelled against the necessity of doing so as little as they did at the employment of a barrister to plead their cause in the halls of justice.

But, if aristocracy was not excluded from towns, still more

did it pervade the rural life of England. The climate was not only softened by the milder atmosphere that belongs to the western side of masses of land, but was further modified by the proximity of every part of it to the sea. It knew neither long continuing heat nor cold; and was more friendly to daily employment throughout the whole year, within doors or without, than any in Europe. The island was "a little world" of its own, with a "happy breed of men" for its inhabitants, in whom the hardihood of the Norman was intermixed with the gentler qualities of the Celt and the Saxon, just as nails are rubbed into steel to temper and harden the Damascus blade. They loved country life, of which the mildness of the clime increased the charms; since every grass and flower and tree that had its home between the remote north and the neighborhood of the tropics would live abroad, and, such only excepted as needed a hot sun to unfold their bloom or fix their aroma or ripen their fruit, would thrive in perfection: so that no region could
1763. show such a varied wood. The moisture of the sky favored a soil not naturally very rich, and clothed the earth in perpetual verdure. Nature had its attractions even in winter. The ancient trees were stripped indeed of their foliage, but showed more clearly their fine proportions and the undisturbed nests of the noisy rooks among their boughs; the air was so mild that the flocks and herds still grazed on the freshly springing herbage; and the deer found shelter enough by crouching amongst the fern; the smoothly shaven grassy walk was soft and yielding under the foot; nor was there a month in the year in which the plough was idle. The large landed proprietors dwelt often in houses which had descended to them from the times when England was gemmed all over with the most delicate and most solid structures of Gothic art. Estates were bounded by the same hedges and ditches, counties by the same lanes, as in William the Conqueror's time; and water-wheels revolved to grind corn just where they had been doing so for at least eight hundred years. Hospitality had its traditions; and for untold centuries Christmas had been the most joyous of the seasons.

The system was so completely the ruling element in English history and English life, especially in the country, that it seemed the most natural organization of society, and was even endeared to the dependent people. Hence the manners of the aristocracy, without haughtiness 1763. or arrogance, implied rather than expressed the consciousness of undisputed rank; and female beauty added to its loveliness the blended graces of dignity and humility.

Yet the privileged class defended its rural pleasures and its agricultural interests with vigilance. The life of the farmer from generation to generation was but "an equal conflict between industry and want;" and the laboring poor, "with all their thrift and ingenious parsimony," could not thrive. The game laws, parcelling out among the large proprietors the exclusive right of hunting, which had been wrested from the king as too grievous a prerogative, were maintained with relentless severity; and to steal or even to hamstring a sheep was as much punished by death as murder or treason. During the reign of George II., sixty-three new capital offences had been added to the criminal laws, and five new ones, on the average, continued to be discovered annually; so that the criminal code of England, formed under the influence of the rural gentry, was written in blood, and owed its mitigation only to executive clemency.

But this cruelty, while it encouraged and hardened offenders, did not revolt the instinct of submission in the rural population. The tenantry, holding lands at a moderate rent, for the most part without permanent leases, transmitting the occupation of them from father to son through many generations, clung to the lord of the manor as ivy to massive old walls. They loved to live in his light; to lean on his support; to gather round him with affectionate deference rather than base cowering; and, by their faithful attachment, to win his sympathy and care, happy when he was such a one as merited their love. They caught refinement of their superiors, so that their cottages were carefully neat, with roses and honeysuckles clambering to their roofs. They cultivated the soil in sight of the towers of the church

round which reposed the ashes of their ancestors for almost a thousand years. The whole island was mapped out into territorial parishes, as well as into counties; and the affairs of local interest, the assessment of rates, the care of the
1763. poor and of the roads, were intrusted to elected vestries or magistrates, with little interference from the central government. The resident magistrates were unpaid, being taken from among the landed gentry; and the local affairs of the county, and all criminal prosecutions of no uncommon importance, were settled by them in a body at quarterly sessions, where a kind-hearted landlord often presided, to appall the convict by the earnestness of his rebuke, and then to show him mercy by a lenient sentence. All judgments were controlled by fixed law; and, at the assizes, no sentence could be pronounced against the accused but by the consent of impartial men taken from the body of the people.

Thus the local institutions of England shared the common character: they were at once the evidence of aristocracy and the badges of liberty.

The climate, so inviting to rural life, was benign also to industry of all sorts. Nowhere could labor apply itself so steadily, or in the same time achieve so much; and it might seem that the population engaged in manufactures would have constituted a separate element not included within the aristocratic system, but the great manufacture of the material not produced at home was still in its infancy. The weaver toiled in his own cottage, and the thread which he used was with difficulty supplied to him sufficiently by the spinners at the wheel of his own family and among his neighbors. Men had not as yet learned by machinery to produce, continuously and uniformly, from the down of cotton, the porous cords of parallel filaments; to attenuate them by gently drawing them out; to twist and extend the threads; and to wind them regularly on pins of wood as fast as they are spun. In 1763, the inconsiderable cotton manufactures of Great Britain, transported from place to place on pack-horses, did not form one two-hundredth part of the production of ninety years later, and were politically

of no importance. Not yet had art done more than begin the construction of channels for still-water navigation; not yet had Wedgwood fully succeeded in changing, annually, tens of thousands of tons of clay and flint into brilliantly glazed and durable ware, capable of sustaining heat, cheap in price, and beautiful and convenient in form; not yet had the mechanics of England, after using up its forests, learned familiarly to smelt iron with pit coal, or to drive machinery by steam.

Let the great artificers of England in iron and clay adopt science as their patron; let the cotton-spinners, deriving their raw material from abroad, perfect their manufacture by inventive plebeian genius, and so prosper as to gather around their mills a crowded population, — and there will then exist a powerful and opulent and numerous class, emancipated from aristocratic influence, thriving independently outside of the old society of England. 1763. But at that time the great manufactures of the realm were those of wool and the various preparations from sheepskins and hides, far exceeding in value all others of all kinds put together; and for these the land-owner furnished all the raw material, so that his prosperity was bound up in that of the manufacturer. The manufacture of wool was cherished as the most valuable of all. It had grown with the growth and wealth of England, and flourished in every part of the island; at Kidderminster and Wilton and Norwich, not less than in the West Riding of York. It had been privileged by King Stephen and regulated by the lion-hearted Richard. Its protection was as much a part of the statute-book as the game laws, and was older than Magna Charta itself. To foster it was an ancient custom of the country, coeval with the English constitution; and it was so interwoven with the condition of life in England that it seemed to form an intimate dependency of the aristocracy. The landowner, whose rich lawns produced the fleece, sympathized with the industry that wrought it into beautiful fabrics. Mutual confidence was established between the classes of society; no chasm divided its orders.

Thus unity of character marked the constitution and the

social life of England. The sum of the whole was an intense nationality in its people. They were happy in their form of government, and were justly proud of it; for they enjoyed more perfect freedom than the world up to that time had known. In spite of the glaring defects of their system, Greece, in the days of Pericles or Phocion, had not been blessed with such liberty. Italy, in the fairest days of her ill-starred republics, had not had such security of property and person, so pure an administration of justice, such unlicensed expression of thought.

These benefits were held by a firm tenure, safe against revolutions and sudden changes in the state. The laws reigned, and not men; and the laws had been the growth of centuries, yielding to amendment only by the gradual method of nature, when opinions exercising less instant influence should slowly infuse themselves through the public mind into legislation: so that the constitution of
1763. England, though like all things else perpetually changing, changed like the style of architecture along the aisles of its own cathedrals, where the ponderous severity of the Norman age melts in the next almost imperceptibly, into the more genial pointed arch and the seemingly lighter sheaf of columns, yet without sacrificing the stately majesty of the proportions or the massive durability of the pile.

With all the defects which remained in the form of their constitution, the English felt that they were great not by restraining laws, not by monopoly, but by liberty and labor. Liberty was the cry of them all; and every opposition, from whatever selfish origin it might spring, took this type, always demanding more than even a liberal government would concede. Liberty and industry gave Englishmen their nationality and greatness, and a feeling of superiority over every other nation. The Frenchman loved France, and, when away from it, longed to return to it, as the only country where life could be thoroughly enjoyed. The German, in whom the sentiment of his native soil was enfeebled by its divisions into so many states and sovereignties, gained enlargement in his sphere of vision, and at home had a curiosity for all learning; away from home,

had eyes for every thing. The Englishman, wherever he travelled, was environed by an English atmosphere. He saw the world abroad as if to perceive how inferior it was to the land of his birth. The English statesmen, going from the classical schools to the universities, brought up in a narrow circle of classical and mathematical learning, with no philosophical training or acquaintance with general principles, travelled as Englishmen. They went young to the house of commons; and were so blinded by admiration of their own country that they thought nothing blameworthy which promoted its glory, its power, or its welfare. They looked out upon the surrounding sea as their wall of defence, and the great deep seemed to them their inheritance, inviting them everywhere to enter upon it as their rightful domain. They gazed beyond the Atlantic; and, not content with their own colonies, they counted themselves defrauded of their due as the sole representatives of liberty, so long as Spain should hold exclusively such boundless em- 1763. pires. Especially to them the house of Bourbon was an adder, that might be struck at whenever it should rear its head. To promote British interests and command the applause of the British senate, they were ready to infringe on the rights of other countries, and even on those of the outlying dominions of the crown.

CHAPTER IV.

ENGLAND AND ITS DEPENDENCIES CONTINUED.

1763.

So England was one united nation. The landed aristocracy was the sovereign, was the legislature, was
1763. the people, was the state. The separate influence of each of the great component parts of English society may be observed in the British dominions outside of Great Britain.

From the wrecks of the empire of the Great Mogul, a monopolizing company of English merchants had gained dominion in the east; with factories, subject provinces, and territorial revenues on the coast of Malabar, in the Carnatic, and on the Ganges. They despised the rivalry of France, whose East India company was hopelessly ruined, and whose feeble factories were in a state of confessed inferiority; and, as they pushed forward their victories, they avowed gain to be the sole end of their alliances and their trade, of their warfare and their civil rule.

In America, the middling class, chiefly rural people, with a few from the towns of England, had founded colonies in the forms of liberty, and themselves owned and cultivated the soil.

Ireland, whose government was proposed as a model for the British colonies, and whose history is from this time intimately connected with the course of events in America, had been seized by the English oligarchy. Half as large as England, it has a still milder climate and a more fertile soil. From its wild mountains in the west gushed numerous rivers, fed by the rains which the sea breeze made frequent. These, now halting in bogs and morasses, now expanding

into beautiful lakes, now rushing with copious volume and swift descent, offered along their courses water-power without limit, and at their outlets deep and safe harbors. The limestone plains under the cloudy sky were matted with luxuriant grasses, whose verdure vied with the emerald.

Centuries before the Christian era, the beautiful region had been occupied by men of the same Celtic tribe which colonized the highlands of Scotland. The Normans, who in the eighth century planted commercial towns on its sea-coast, were too few to maintain separate municipalities. The old inhabitants had been converted to Christianity by apostles of the purest fame, and the land abounded in churches and cathedrals, in a learned, liberal, and numerous clergy. Their civil government was an aristocratic confederacy of septs, or families, and their respective chiefs; and 1763. the remote land seemed set apart by nature as the safe abode of an opulent, united, and happy people.

In the reign of Henry II. of England, and in his name, English barons and adventurers invaded Ireland; and, before the end of the thirteenth century, its soil was parcelled out among ten English families.

As the occupation became confirmed, the English system of laws was continued to the English colonists living within the pale which comprised the four counties of Dublin, Louth, Meath, and Kildare. In the Irish parliament, framed ostensibly after the model of the English constitution, no Irishman could hold a seat: it represented the intruders only, who had come to possess themselves of the lands of the natives, now quarrelling among themselves about the spoils, now rebelling against England, but always united against the Irish.

When Magna Charta was granted at Runnymede, it became equally the possession and birthright of the Norman inhabitants of Ireland; but to the "mere Irish" its benefits were not extended, except by special charters of enfranchisement or denization, of which the sale furnished a means of exaction.

The oligarchy of conquerors, in the process of time, began to amalgamate with the Irish; they had the same religion;

they inclined to adopt their language, dress, and manners, and to speak for the rights of Ireland more warmly than the Irish themselves. To counteract this tendency of "the degenerate English," laws were enacted so that the Anglo-Irish could not intermarry with the Celts, nor permit them to graze their lands, nor present them to benefices, nor receive them into religious houses, nor entertain their
1763. bards. The "mere Irish" were considered as out of the king's allegiance; in war, they were accounted rebels; in peace, the statute-book called them Irish enemies; and to kill one of them was adjudged no felony.

During the long civil wars in England, English power declined in Ireland. To recover its subordination, in the year 1495, the tenth after the union of the Roses, the famous statute of Drogheda, known as Poyning's Law, from the name of the lord deputy who obtained its enactment, reserved the initiative in legislation to the crown of England. No parliament could from that time "be holden in Ireland till the king's lieutenant should certify to the king, under the great seal of the land, the causes and considerations, and all such acts as it seemed to them ought to be passed thereon, and such be affirmed by the king and his council, and his license to summon a parliament be obtained." This remained the rule of Irish parliaments, and began to be regarded as a good precedent for America.

The change in the relations of England to the see of Rome, at the time of the reform, served to amalgamate the Celtic Irish and the Anglo-Norman Irish; for the Catholic lords within the pale, as well as Catholic Ireland, adhered to their ancient religion.

The Irish resisted the act of supremacy; and the accession of Queen Elizabeth brought the struggle to a crisis. She established the Protestant Episcopal Church by an act of what was called an Irish parliament, in which the Celtic Irish had no part, and English retainers, chosen from select counties and boroughs and new boroughs made for the occasion, held the ascendant over the Anglo-Norman Irish. The laws of supremacy and uniformity were adopted, in the words of the English statutes; the common prayer was ap-

pointed instead of mass, and was to be read in the English language, or, where that was not known, in the Latin.

The Anglican prelates and priests, divided from the Irish by the insuperable barrier of language, were quartered upon the land, shepherds without sheep, pastors without people; strangers to the inhabitants, wanting not them, but theirs. The churches went to ruin; the benefices fell to men who were held as foreigners and heretics, and who had no care for the natives but to compel them to pay tithes. The inferior clergy were men of no parts or erudition, and were as immoral as they were illiterate. No pains were taken to make converts, except by penal laws; 1763. and the Norman-Irish and Celtic-Irish were drawn nearer to one another by common sorrows, as well as by a common faith; for "the people of that country's birth, of all degrees, were papists, body and soul."

The Anglican church in Ireland represented the English interest. Wild and incoherent attempts at self-defence against relentless oppression were followed by the desolation of large tracts of country, new confiscations of land, and a new colonial garrison in the train of the English army. Even the use of parliaments was suspended for seven-and-twenty years.

The accession of James I., with the counsels of Bacon, seemed to promise Ireland some alleviation of its woes, for the pale was broken down; and when the king, after a long interval, convened a parliament, it stood for the whole island. But, in the first place, the law tolerated only the Protestant worship; and, when colonies were planted on lands of six counties in Ulster escheated to the crown, the planters were chiefly Presbyterians from Scotland, than whom none more deeply hated the Catholic religion. And next the war of chicane succeeded to the war of arms and hostile statutes. Ecclesiastical courts wronged conscience; soldiers practised extortions; the civil courts took away lands. Instead of adventurers despoiling the old inhabitants by the sword, there came up discoverers, who made a scandalous traffic of pleading the king's title against the possessors of estates to force them to grievous compositions,

or to effect the total extinction of the interests of the natives in their own soil.

This species of subtle ravage, continued with systematic iniquity in the next reign, and carried to the last excess of perfidy, oppression, and insolence, inspired a dread of extirpation, and kindled the flames of the rising of 1641.

When this rebellion had assumed the form of organized resistance, large forfeitures of lands were promised to those who should aid in its reduction. The Catholics had successively against them the party of the king; the Puritan parliament of England; the Scotch Presbyterians, among themselves; the fierce, relentless energy of Cromwell; a unanimity of hatred, quickened by religious bigotry; greediness after confiscated estates, and the pride of power in the Protestant interest. Modern history has no parallel for the sufferings of the Irish nation from 1641 to 1660.

1763.

At the restoration of Charles II., a declaration of settlement confirmed even the escheats of land, decreed by the republican party for the loyalty of their owners to the crown. It is the opinion of an English historian that, "upon the whole result, the Irish Catholics, having previously held about two thirds of the kingdom, lost more than one half of their possessions by forfeitures on account of their rebellion. They were diminished also by much more than one third through the calamities of that period."

Even the favor of James II. wrought the Catholic Irish nothing but evil, for they shared his defeat; and, after their vain attempt to make of Ireland his independent place of refuge, and a gallant resistance of three years, the Irish at Limerick capitulated to the new dynasty, obtaining the royal promise of security of worship to the Roman Catholics, and the continued possession of their estates, free from all outlawries or forfeitures. Of these articles, the first was totally disregarded; the second was evaded. New forfeitures followed to the extent of more than a million of acres; and, at the close of the seventeenth century, the native Irish, with the Anglo-Irish Catholics, possessed not more than a seventh of their own island.

The maxims on which the government of Ireland was administered by Protestant England after the Revolution of 1688 brought about the relations by which that country and our own reciprocally affected each other's destiny; Ireland assisting to people America, and America to redeem Ireland.

The inhabitants of Ireland were four parts in five, certainly more than two parts in three, Roman Catholics. Religion established three separate nationalities; the Anglican churchmen, constituting nearly a tenth of the population; the Presbyterians, chiefly Scotch-Irish; and the Catholic population, which was a mixture of the old Celtic race, the untraceable remains of the few Danish settlers, and the Normans and first colonies of the English.

In settling the government, England intrusted it exclusively to those of "the English colony" who were members of its own church; so that the little minority 1763. ruled the island. To facilitate this, new boroughs were created; and wretched tenants, where not disfranchised, were so coerced in their votes at elections that two thirds of the Irish house of commons were the nominees of the large Protestant proprietors of the land.

In addition to this, an act of the English parliament rehearsed the dangers to be apprehended from the presence of popish recusants in the Irish parliament, and required of every member the new oaths of allegiance and supremacy and the declaration against transubstantiation. But not only were Roman Catholics excluded from seats in both branches of the legislature: a series of enactments, the fruit of relentless perseverance, gradually excluded "papists" from having any votes in the election of members to serve in parliament.

The Catholic Irish being disfranchised, one enactment pursued them after another till they suffered under a universal, unmitigated, indispensable, exceptionless disqualification. In the courts of law, they could not gain a place on the bench, nor act as a barrister or attorney or solicitor, nor be employed even as a hired clerk, nor sit on a grand jury, nor serve as a sheriff or a justice of the peace, nor

hold even the lowest civil office of trust and profit, nor have any privilege in a town corporate, nor be a freeman of such corporation, nor vote at a vestry. If papists would trade and work, they must do it even in their native towns as aliens. They were expressly forbidden to take more than two apprentices in whatever employment, except in the linen manufacture only. A Catholic might not
1763. marry a Protestant, — the priest who should celebrate such a marriage was to be hanged, — nor be a guardian to any child, nor educate his own child, if the mother declared herself a Protestant, or even if his own child, however young, should profess to be a Protestant.

None but those who conformed to the established church were admitted to study at the universities, nor could degrees be obtained but by those who had taken all the tests, oaths, and declarations. No Protestant in Ireland might instruct a papist. Papists could not supply their want by academies and schools of their own; for a Catholic to teach, even in a private family or as usher to a Protestant, was a felony, punishable by imprisonment, exile, or death. Thus "papists" were excluded from all opportunity of education at home, except by stealth and in violation of law. It might be thought that schools abroad were open to them; but, by a statute of King William, to be educated in any foreign Catholic school was an "unalterable and perpetual outlawry." The child sent abroad for education, no matter of how tender an age or himself how innocent, could never after sue in law or equity, or be guardian, executor, or administrator, or receive any legacy or deed of gift; he forfeited all his goods and chattels, and forfeited for his life all his lands. Whoever sent him abroad, or maintained him there, or assisted him with money or otherwise, incurred the same liabilities and penalties. The crown divided the forfeiture with the informer; and, when a person was proved to have sent abroad a bill of exchange or money, on him rested the burden of proving that the remittance was innocent; and he must do so before justices without the benefit of a jury.

The Irish Catholics were deprived even of the opportu-

nity of worship, except by connivance. Their clergy, taken from the humbler classes of the people, could not be taught at home, nor be sent for education beyond seas, nor be recruited by learned ecclesiastics from abroad. Such priests as were permitted to reside in Ireland were registered, and were kept like prisoners at large within prescribed 1763. limits. All "papists" exercising ecclesiastical jurisdiction, all monks, friars, and regular priests, and all priests not then actually in parishes, and not registered, were banished from Ireland under pain of transportation, and, on a return, of being hanged, drawn, and quartered. Avarice was stimulated to apprehend them by the promise of a reward; he that should harbor or conceal them was to be stripped of all his property. When the registered priests were dead, the law, which was made perpetual, applied to every popish priest. By the laws of William and of Anne, St. Patrick, in Ireland, in the eighteenth century, would have been a felon. Any two justices of the peace might call before them any Catholic, and make inquisition as to when he heard mass, who were present, and what Catholic schoolmaster or priest he knew of; and the penalty for refusal to answer was a fine or a year's imprisonment. The Catholic priest abjuring his religion received a pension of thirty, and afterwards of forty, pounds. In spite of these laws, there were, it is said, four thousand Catholic clergymen in Ireland; and the Catholic worship gained upon the Protestant, so attractive is sincerity when ennobled by persecution, even though "the laws did not presume a papist to exist there, and did not allow one to breathe but by the connivance of the government."

The Catholic Irish had been plundered of six sevenths of the land by iniquitous confiscations; every acre of the remaining seventh was grudged them by the Protestants. No non-conforming Catholic could buy land, or receive it by descent, devise, or settlement; or lend money on it, as the security; or hold an interest in it through a Protestant trustee; or take a lease of ground for more than thirty-one years. If, under such a lease, he brought his farm to produce more than one third beyond the rent, the first Prot-

estant discoverer might sue for the lease before known Protestants, making the defendant answer all interrogatories on oath; so that the Catholic farmer dared not drain his fields, nor enclose them, nor build solid houses on them. If in any way he improved their productiveness, his lease was forfeited. It was his interest rather to deteriorate the country, lest envy should prompt some one to turn him out of doors. In all these cases, the forfeitures were in favor of Protestants. If a Catholic owned a horse worth more
1763. than five pounds, any Protestant might take it away. Nor was natural affection or parental authority respected. The son of a Catholic land-holder, however dissolute or however young, if he would but join the English church, could turn his father's estate in fee-simple into a tenancy for life, becoming himself the owner, and annulling every agreement made by the father, even before his son's conversion.

The dominion of the child over the property of the popish parent was universal. The Catholic father could not in any degree disinherit his apostatizing son; but the child, in declaring himself a Protestant, might compel his father to confess upon oath the value of his substance, real and personal; whereupon the Protestant court might out of it award the son immediate maintenance, and, after the father's death, any establishment it pleased. A bill might at any time be brought by one or all of the children, for a further discovery. If the parent, by his industry, improved his property, the son might compel an account of the value of the estate, in order to a new disposition. The father had no security against the persecution of his children but by abandoning all acquisition or improvement.

Ireland passed away from the ancient Irish. The proprietors in fee were probably fewer than in any equal area in Western Europe, parts of Spain only excepted. The consequence was an unexampled complication of titles. The landlord in chief was often known only as having dominion over the estate; leases of large tracts had been granted for very long terms of years; these were again subdivided to those who subdivided them once more, and so on indefi-

nitely. Mortgages brought a new and numerous class of claimants. Thus humane connection between the tenant and landlord was not provided for. Leases were in the last resort most frequently given at will; and then what defence had the Irish Catholic against his Protestant superior? Hence the thatched mud cabin, without window or chimney; the cheap fences; the morass undrained; idleness in winter; the tenant's concealment of good returns, and his fear to spend his savings in improving his farm. Hence, too, the incessant recurrence of the deadliest epidemics, which made of Ireland the land of typhus fever, as Egypt was that of the plague. 1763.

To the native Irish the English oligarchy appeared not in the attitude of kind proprietors, whom residence and a common faith, long possession and hereditary affection, united with the tenantry, but as men of a different race and creed, who had acquired the island by arms, rapine, and chicane, and derived revenues from it through extortionate agents.

This state of society, as a whole, was what ought not to be endured; and the English were conscious of it. The common law respects the right of self-defence; yet the Irish Catholics, or popish recusants as they were called, were, by one universal prohibition, forbidden to use or keep any kind of weapons whatsoever, under penalties which the crown could not remit. Any two justices might enter a house and search for arms, or summon any person whomsoever, and tender him an oath, of which the repeated refusal was punishable as treason.

Such was the Ireland of the Irish; a conquered people, whom the victors delighted to trample upon, and did not fear to provoke. Their industry within the kingdom was prohibited or repressed by law, and then they were calumniated as naturally idle; their savings could not be invested on equal terms in trade, manufactures, or real property, and they were called improvident; the gates of learning were shut on them, and they were derided as ignorant. In the midst of privations, they were cheerful. Suffering for generations under acts which offered bribes to treachery, their

integrity was not debauched; no son rose against his father, no friend betrayed his friend. Fidelity to their religion, chastity, and respect for the ties of family, remained characteristics of the down-trodden race.

Relief was to come through the conflicts of the North American colonies with Great Britain. Ireland and America, in so far as both were oppressed by the commercial
1763. monopoly of England, had a common cause; and, while the penal statutes against the Catholics did not affect the Anglo-Irish, they suffered equally with the native Irish from the mercantile system. The restrictions of the acts of trade extended not to America only, but to the sister kingdom. It had harbors, but it could not send a sail across the Atlantic; nor receive sugar or coffee, or other colonial produce, but from England; nor ship directly to the colonies, even in English vessels, any thing but "servants and horses and victuals," and at last linens; and this classing together of "servants and horses" as articles of the export trade gave the sanction of the British parliament to traffic in bond-servants.

Its great staple was wool; its most important natural manufacture was the woollen. "I shall do all that lies in my power to discourage the woollen manufactures of Ireland," said William of Orange. The exportation of Irish woollens to the colonies and to foreign countries was prohibited; and restrictive laws so interfered with the manufacture that Irishmen would probably not be allowed to wear coats of their own fabric.

In the course of years, the "English colonists" themselves began to be domiciliated in Ireland; and, with the feeling that the country in which they dwelt was their home, there grew up discontent that it continued to be treated as a conquered country. Proceeding by insensible degrees, they at length maintained openly the legislative equality of the two kingdoms. In 1692, the Irish house of commons claimed "the sole and undoubted right to prepare and resolve the means of raising money." In 1698, Molyneux, an Irish Protestant, and member for the university of Dublin, asserted, through the press, the perfect and recip-

rocal independence of the Irish and English parliaments; that Ireland was not bound by the acts of a legislative body in which it was not represented. Two replies were written to the tract, which was also formally condemned by the English house of commons. When in 1719 the Irish house of lords denied the judicial power of the house of lords of Great Britain for Ireland, the British parliament, making a precedent for all its outlying dominions, enacted that "the king, with the consent of the parliament of Great Britain, had, hath, and of right ought to have, full power and authority to make laws and statutes of force to bind the people and the kingdom of Ireland."

But the opposite opinion was held with unabated vigor by the Anglo-Irish statesmen. The people set the example of resisting English laws by voluntary agree- 1763. ments to abstain from using English manufactures, and the patriot party acquired strength and skill just at the time when the British parliament provoked the American colonies to deny its power.

But, besides the conforming Protestant population, there was in Ireland another class of Protestants who shared in some degree the disqualifications of the Catholics. To Queen Anne's bill for preventing the further growth of popery, a clause was added in England, and ratified by the Irish parliament, that none should be capable of any public employment, or of being in the magistracy of any city, who did not receive the sacrament according to the English test act; thus disfranchising the whole body of Presbyterians. At home, where the Scottish nation enjoyed its own religion, the people were loyal: in Ireland, the disfranchised Scotch Presbyterians, who still drew their ideas of Christian government from the Westminster Confession, began to believe that they were under no religious obligation to render obedience to the British government. They could not enter the Irish parliament to strengthen the hands of the patriot party; nor were they taught by their faith to submit in patience, like the Catholic Irish. Had all Ireland resembled them, it could not have been kept in subjection. But what could be done by unorganized men, constituting

only about a tenth of the people, in the land in which they were but sojourners? They were willing to quit a soil which was endeared to them by no traditions; and the American colonies opened their arms to receive them.
1763. They began to change their abode as soon as they felt oppression; and every successive period of discontent swelled the tide of emigrants. Just after the peace of Paris, "the Heart of Oak" Protestants of Ulster, weary of strife with their landlords, came over in great numbers; and settlements on the Catawba, in South Carolina, dated from that epoch. At different times in the eighteenth century, some few found homes in New England; but they were most numerous south of New York, from New Jersey to Georgia. In Pennsylvania, they peopled many counties, till, in public life, they balanced the influence of the Quakers. In Virginia, they went up the valley of the Shenandoah; and they extended themselves along the tributaries of the Catawba, in the uplands of North Carolina. Their training in Ireland had kept the spirit of liberty and the readiness to resist unjust government as fresh in their hearts as though they had just been listening to the preachings of Knox or musing over the political creed of the Westminster assembly. They brought to America no loyal love for England; and their experience and their religion alike bade them meet oppression with resistance.

CHAPTER V.

CHARLES TOWNSHEND PLEDGES THE MINISTRY OF BUTE TO TAX AMERICA BY THE BRITISH PARLIAMENT, AND RESIGNS.

FEBRUARY—APRIL, 1763.

FOR several years, the board of trade had looked forward to the end of the war as the appointed time when the colonies were to feel the superiority of the parent land. Thirteen days after the ratification of the peace, the Earl of Bute, having the full concurrence of the king, made the change which had long been expected; and Charles Townshend entered upon the office of first lord of trade, with larger powers than had ever been exercised by any of his predecessors except Halifax, and a seat in the cabinet. 1763. Feb.

In the council, in which Townshend took a place, there was Bute, its chief, who was fully impressed with the necessity of bringing the colonies into order. As the head of the treasury, he was answerable for every measure connected with the finances; and his defects as a man of business left much to his indefatigable private secretary. There was Mansfield, who had boasted publicly of his early determination never to engage in public life "but upon whig principles;" and, in conformity to them, had asserted that an act of parliament in Great Britain could alone prescribe rules for the reduction of refractory colonial assemblies. There was George Grenville, then first lord of the admiralty, bred to the law, and implicitly upholding the supreme and universal authority of the British legislature. There was Bedford, absent from England at the moment, but, through his friends, applauding the new colonial system, to which he had long ago become a convert. There was Halifax, heretofore baffled by the colonies,

and held in check by Pitt; willing to give effect to his long cherished opinions of British omnipotence. There
1763. Feb. was the self-willed, hot-tempered Egremont, using the patronage of his office to enrich his family and friends; the same who had menaced Maryland, Pennsylvania, and North Carolina; obstinate and impatient of contradiction, ignorant of business, and capable of cruelty in defence of authority.

To these was now added Charles Townshend, who had been trained to public life in the board of trade, and as secretary at war; and was now selected for the administration of the colonies. About his schemes there was no disguise. No man in the house of commons was thought to know America so well; no one was so resolved on making a thorough change in its constitutions and government. Halifax and Townshend, in 1753, had tried to establish order in the New World, by the prerogative, and had signally failed. The new system was to be derived from the transcendental power of the British parliament.

On his advancement, Townshend became at once the most important man in the cabinet and in the house of commons. America, which had been the occasion of the war, became at the peace the great subject of consideration; and the minister who was charged with its government took the lead in public business.

The whole remittance from all the colonies, on an average of thirty years, had not reached nineteen hundred pounds a year, and the establishment of officers necessary to collect that pittance amounted to seven thousand pounds a year. The primary object was now a substantial American revenue, to be disposed of by the British ministry, under the sign manual of the king. The ministry would tolerate no further "the disobedience of long time to royal instructions," nor bear with the claim of "the lower houses of provinical assemblies" to the right of deliberating on their votes of supply, like the parliament of Great Britain. It was announced "by authority" that there were to be "no more requisitions from the king," but, instead of them, an immediate taxation of the colonies by the British legislature.

The first charge upon that revenue was to be the civil list, that all the royal officers in America, the judges in every court not less than the executive, might be superior to the assemblies, and dependent on the king's pleasure alone for their appointment to office, their continuance in it, and the amount and payment of their emoluments; so that the corps of persons in the public employ might be a civil garrison, set to sustain the authority of Great Britain.

The charters were obstacles, which, in the opinion of Charles Townshend, should give way to one uniform system of government. The little republics of Connecticut and Rhode Island, which Clarendon had cherished, and every ministry of Charles II. had spared, were no longer safe. By a new territorial arrangement of provinces, Massachusetts was to be curtailed, as well as made more dependent on the king. 1763. Feb.

This arbitrary policy required an American standing army, to be maintained by those whom it was to oppress. To complete the system, the navigation acts were to be strictly enforced. These most eventful measures were entered upon without any observation on the part of the historians and writers of memoirs of the hour. The ministry itself was not aware of what it was doing.

The first opposition proceeded from the general assembly of New York. In the spirit of loyalty and the language of reverence, they pleaded with the king concerning the colonial court of judicature, which exercised the ample authorities of the two great courts of king's bench and common pleas, and also of the barons of the exchequer. They represented that this plenitude of uncontrolled power in persons who could not be impeached in the colony, and who, holding their offices during pleasure, were subject to the influence of governors, was to them an object of terror; and, from tenderness to the security of their lives, rights, and liberties, as well as fortunes, they prayed anxiously for leave to establish by law the independence and support of so important a tribunal. They produced, as an irrefragable argument, the example given in England after the accession of King William III.; and they quoted the declaration of

the present king himself, that he "looked upon the independency and uprightness of the judges as essential to the impartial administration of justice, one of the best securities to the rights and liberties of the subject, and as most conducive to the honor of the crown;" and they expressed confidence in his undiscriminating liberality to all his good subjects, whether at home or abroad. But the treasury board, at which Lord North had a seat, decided not only that the commission of the chief justice of New York should be at the king's pleasure, but the amount and payment of his salary also. The system introduced into New York was to be universally extended, and the judiciary of a continent to be placed for political purposes in dependence on the crown.

While the allowance of a salary to the chief justice of New York was passing through the forms of office, Welbore Ellis, the successor of Charles Townshend as secretary at war, brought forward the army estimates for the year, including the proposition of twenty regiments for America. The country members would have grudged the expense; but Charles Townshend explained that these regiments were, for the first year only, to be supported by England, and ever after by the colonies themselves. With Edmund Burke in the gallery for one of his hearers, he dazzled country gentlemen by playing before their eyes the image of a revenue to be raised in America. The house of commons listened with complacency to a scheme which, at the expense of the colonies, would give twenty new places of colonels, that might be filled by members of their own body.

1763. March.

On the report to the house, Pitt wished that more troops had been retained in service; and he called "the peace hollow and insecure, a mere armed truce for ten years." His support prevented opposition to the estimates.

Two days after, on the ninth day of March, 1763, Charles Townshend, from a committee of which Lord North was a member, brought forward a part of the scheme for raising a revenue in America by act of parliament. The existing duty on the trade of the continental colonies with the

French and Spanish islands was prohibitory, and had been regularly evaded by a treaty of connivance between the merchants on the one side, and the custom-house officers and their English patrons on the other; for the custom-house officers were "quartered upon" by those through whom they gained their places. The system of making for revenue offices in America sinecure places had led to such abuses that an American annual revenue of less than two thousand pounds cost the establishment of the customs in Great Britain between seven and eight thousand pounds a year. The house was impatient for reform; the minister proposed to reduce the duty and enforce its collection. "Short as the term was, it seemed probable that he would carry it through before the rising of parliament." A stamp act and other taxes were to follow.

At the same time, the usual "compensation for the expenses of the several provinces," according to their "active vigor and strenuous efforts," was voted without curtailment and amounted to more than seven hundred thousand dollars. The appropriation was the most formal recognition that, even in the last year of the war, when it was carried on beyond their bounds, the colonies had contributed to the common cause more than their equitable proportion.

Just then the people of Boston held their first town meeting in 1763. "We in America," said Otis, on being chosen its moderator, "have abundant reason to rejoice. The heathen are driven out and the Canadians conquered. The British dominion now extends from sea to sea, and from the great rivers to the ends of the earth. Liberty and knowledge, civil and religious, will be co-extended, improved, and preserved to the latest posterity. No constitution of government has appeared in the world so admirably adapted to these great purposes as that of Great Britain. Every British subject in America is, of common right, by act of parliament, and by the laws of God and nature, entitled to all the essential privileges of Britons. By particular charters, particular privileges are justly granted, in consideration of undertaking to begin so glorious an empire as British America. Some weak and wicked

1763. March.

minds have endeavored to infuse jealousies with regard to the colonies; the true interests of Great Britain and her plantations are mutual; and what God in his providence has united let no man dare attempt to pull asunder."

Meantime, George Grenville would not be outdone by Charles Townshend in zeal for British interests. He worshipped the navigation act as the palladium of his country's greatness; and regarded connivance at the breaches of it by the overflowing commerce of the colonies "with an exquisite jealousy." Placed at the head of the admiralty, he united his official influence, his knowledge of the law, and his place as a leader in the house of commons, to restrain American intercourse by grants of new powers to vice-admiralty courts, and by a curiously devised system, which should bribe the whole navy of England to make war on colo-

1763. March. nial trade. March had not ended, when a bill was brought in giving authority to employ the ships, seamen, and officers of the navy as custom-house officers and informers. The measure was Grenville's own, and it was rapidly carried through; so that in three weeks it became lawful, from the mouth of the St. Lawrence to Cape Florida, for each commander of an armed vessel to stop and examine, and, in case of suspicion, to seize every merchant ship approaching the colonies; while avarice was stimulated, by hope of large emoluments, to make as many seizures and gain in the vice-admiralty courts the condemnation of as many vessels as possible. It was Grenville who introduced a more than Spanish sea-guard of British America; it was he who first undertook to enforce rigidly the navigation acts.

The supplies voted for the first year of peace amounted to seventy millions of dollars; the public charges pressed heavily on the lands and the industry of England, and additional sources of revenue were required. The ministry proposed and carried an excise on cider and perry, by its nature affecting only the few counties where the apple was much cultivated. Pitt opposed the tax as "intolerable," and brought ridicule upon Grenville; the cider counties were in a flame; the city of London, proceeding beyond all prece-

dent, petitioned commons, lords, and king against the measure; the cities of Exeter and Worcester instructed their members to oppose it; the house of lords divided upon it; and two protests against it appeared on their journals. An English tax, which came afterwards to be regarded as proper, met with turbulent resistance; no one uttered a word for America. The bill for raising a revenue there was quietly read twice, and committed; but on the twenty-ninth of March it was postponed; for Charles Townshend, seeing that the ministry was crumbling, made a timely retreat from the cabinet. A strong party was forming against the Earl of Bute, whose majority in "the king's parliament" was broken and unmanageable. The politicians, whose friendship he thought to have secured by favor, gave him no hearty support; nearly every member of the cabinet which he himself had formed was secretly or openly against him. "The ground I tread upon," said he, "is hollow;" and he might well be "afraid of falling." By his instances to retire, made a half year before, the king had been so troubled that he frequently sat for hours together leaning his head upon his arm without speaking; and at last, when he consented to a change, it was on condition that in the new administration there should be no chief minister. 1763. March.

For a moment, Grenville, to whom the treasury and the exchequer were offered, affected to be coy; and then gratefully accepted the "high and important situation" destined for him by the goodness of his sovereign and Lord Bute's friendship, promising not "to put any negative" upon those whom the king might approve as his colleagues in the ministry.

Bute next turned to Bedford, announcing the king's "abiding determination never, upon any account, to suffer those ministers of the late reign, who had attempted to fetter and enslave him, to come into his service while he lived to hold the sceptre." "Shall titles and estates," he continued, "and names like a Pitt, that impose on an ignorant populace, give this prince the law?" And he solicited Bedford to accept the post of president of the council, promising, in that case, the privy seal to Bedford's brother-in-law, Lord Gower.

While the answer was waited for, the youthful monarch confided the executive powers of government to a triumvirate, consisting of Grenville, Egremont, and Halifax.
1763. April. After making this arrangement, Bute resigned, having established, by act of parliament, a standing army in America, and bequeathing to his successor his pledge to the house of commons to provide for the support of that army, after the current year, by taxes on America.

CHAPTER VI.

THE TRIUMVIRATE MINISTRY PURSUE THE PLAN OF TAXING AMERICA BY PARLIAMENT.

April, May, 1763.

George III. was revered by his courtiers as realizing the idea of a patriot king. He would espouse no faction, and employ those only who would conduct affairs on his own principles. The watchword of his friends was "a coalition of parties," in the spirit of dutiful obedience, so that he might select ministers from among them all; and he came to the throne resolved "to begin to govern as soon as he should begin to reign." Yet the established constitution was more immovable than his designs. Pitt did not retire from the ministry till the country was growing weary of "his German war," and a majority in the British cabinet opposed his counsels; Newcastle did not abandon office till he had lost weight with parliament; and the favorite, Bute, after making the peace with general approbation, had no option but to retire from a place which neither his own cabinet, nor the nation, nor either house of parliament, was willing he should hold. In the midst of changing factions, the British constitution stood like adamant. 1763. April.

Grenville, whose manners were never agreeable to the king, was chosen to succeed Bute in the ministry, because, from his position, he seemed dependent on the court. He remarked to the king that he had no party. No man had more changed his associates; entering life as a patriot, accepting office of Newcastle, leaving Newcastle with Pitt, returning to power with Pitt, and remaining in office when

the latter and Temple were driven out. Moreover, he loved office, loved it for its emoluments, and loved it inordinately.

1763. April. Yet he was no venal adventurer, and in his greed of money retained the cold austerity that marked his character. He never grew giddy with the hazards of the stock-market, nor made himself a broker of office, nor jobbed in lottery tickets and contracts. His desire was for solid and sure places, a tellership in the exchequer or the profits of a light-house, the rich sinecures which English law and English usages tolerated; and, even in the indulgence of his strongest passion, he kept a good name as a model of integrity and the enemy of corruption. It was his habit to hoard all his emoluments from public office; and he represented his penurious parsimony as a disinterested act, on his part, which only enriched his children.

His personal deportment was formal and forbidding; and his apathy in respect of pleasure made him appear a paragon of sanctity. Bishops praised him for his constant weekly attendance at the morning service. He was not cruel; but the coldness of his nature left him incapable of compassion. He was not vengeful; when evil thoughts towards others rose up within his breast, they chiefly served to embitter his own peace.

Nor was he one of the king's friends, nor did he seek advancement by unworthy flattery of the court. A good lawyer, and trained in the best and most liberal political school of his day, it was ever his pride to be esteemed a sound whig, making the test of his consistency his unchangeable belief in the absolute supremacy of parliament. It was by a thorough knowledge of its constitution, and an indefatigable attention to all its business, that he rose to eminence through the laborious gradations of public service. Just before his death, after a service in the house of commons of about thirty years, he said, with pride, that to that house he owed all his distinction.

His self-conceit ascribed all his eminence to his own merits, which he never regarded as too highly rewarded. Gratitude, therefore, found no place in his nature; and he was so much like the bird that croaks whilst enjoying the

fullest meal, that towards those who had benefited him most there remained in his heart something like a reproach for their not having succeeded in doing more. Yet Grenville wanted the elements of true statesmanship. His nature inclined him not to originate measures, but to amend and alter and regulate. He had neither salient traits nor general comprehensiveness; neither the warm imagination which can arrange and vivify various masses of business, nor sagacity to penetrate the springs of public action and foresee the consequences of measures. In a word, he was a dull, plodding pedant in politics; a painstaking, exact man of business. In his frequent, long, and tedious speeches, a trope rarely passed his lips; but he abounded in repetitions and explanatory self-justification. He would have made a laborious and an upright judge, or an impartial and most respectable speaker of the house of commons; but, in an administration without a head, he could be no more than the patient and methodical executor of plans "devolved" upon him. The stubbornness with which he adhered to them sprung from pride and obstinacy, not from a commanding will, which never belonged to him.

With Bute's office, the new minister inherited the services of his own former *protégé*, Charles Jenkinson, who now became the principal secretary of the treasury. He was a man of rare ability. An Oxford scholar, without fortune, and at first destined for the church, he entered life on the side of the whigs; but, using an opportunity of becoming known to George III. while Prince of Wales, he devoted himself to his service. He remained always a friend and a uniform favorite of the king. Engaged in the most important scenes of political action, and rising to the highest stations, he moved as noiselessly as a shadow; and history was hardly aware of his presence. He had the singular talent of conducting the most delicate and disagreeable personal negotiations so as to retain the friendship of those whom he seemed commissioned to wound. Except at first, when still very poor, he never showed a wish for office, till the time arrived when it seemed to seek him. His old age was one of dignity, cheered by the unabated

1763. April.

regard of the king, the political success of one son, and the affectionate companionship of another. The error of his life was his conduct respecting America; the thorough measures which Charles Townshend rashly counselled, which George Grenville feebly resisted, Jenkinson carried forward with tranquil collectedness.

Townshend, whom the king wished to see at the head of the admiralty, while he took care to retain the favor of his sovereign, declined to act under George Grenville. The Duke of Bedford, too, refused to join with Egremont and Grenville, who, at the time of his negotiating the peace, had shown him so much ill-will; and he advised a return to the old whig aristocracy. "I know," said he, "the administration cannot last."

The triumvirate, of whom not one was beloved by the people, was laughed at as a ministerial Cerberus, gorged with patronage and office. The business of the session was rapidly brought to a close. The scheme of taxing the colonies was laid over for the next session; but the king, each house of parliament, and nearly everybody in Great Britain, wished to throw a part of the public burdens on the increasing opulence of the New World.

1763. April. The new ministry, at the outset, was weakened by its own indiscretion. In closing the session, the king arrogated merit for the peace which Frederic of Prussia had concluded, after being left alone by England. Wilkes, a shameless profligate, exposed the fallacy. The king, thinking one of his subjects had given him the lie, applied to the ministry for the protection to which every Englishman had a right. Grenville "declared that general warrants were illegal;" but, conforming to "long established precedents," Halifax issued a general warrant for the arrest of all concerned in a publication which in truth was unworthy of notice. Wilkes was arrested; but, on the doubtful plea that his privilege as a member of parliament had been violated, he was set at liberty by the popular Chief Justice Pratt. The opponents of the ministry hastened to renew the war of privilege against prerogative, with the advantage of being defenders of the constitution on a ques-

tion affecting personal freedom. The cry for "Wilkes and Liberty" was heard in all parts of the British dominion.

In the midst of the confusion, Grenville set about confirming himself in power by diligence in the public business. He meant well for the public service, and was certainly indefatigable. "His self-conceit," said Lord Holland afterwards, "as well as his pride and obstinacy, established him." For the joint secretary of the treasury, he selected an able and sensible lawyer, Thomas Whately. For his secretary as chancellor of the exchequer he chose Richard Jackson; and the choice is strong proof that, though he entered upon his task blindly and in ignorance of the colonies, yet his intentions were fair, for Jackson was a liberal member of the house of commons, a good lawyer, not eager to increase his affluent fortune, frank, independent, and abhorring intrigue. He was, moreover, better acquainted with the state of America, and exercised a sounder judgment on questions of colonial administration, than, perhaps, any man in England. His excellent character led Connecticut and Pennsylvania to make him their agent; and he gave the latter province even better advice than Franklin himself. He was always able to combine affection for England with uprightness and fidelity to his American employers. 1763. April.

To a mind like Grenville's, the protective system had irresistible attractions. He saw in trade the foundation of the wealth and power of his country; and, on coming into power, he wished by regulations and restrictions to advance the commerce, which really owed its superiority to the greater liberty of England. He prepared to recharter the bank of England; to connect it still more closely with the funding system; to sustain the credit of the merchants, under the revulsion consequent on peace; to increase the public revenue, and to expend it with frugality. America, with its new acquisitions, Florida, the valley of the Mississippi, and Canada, lay invitingly before him. The enforcing of the navigation acts was peculiarly his own policy, and was the first leading feature of his administration. An American revenue was his second great object.

This he combined with the purpose of so dividing the public burdens between England and America as to diminish the motive to emigrate from Great Britain and Ireland.

In less than a month after Bute's retirement, Egremont asked the advice of the lords of trade on the organization of governments in the newly acquired territories, the military force to be kept up in America, and in what mode least burdensome and most palatable to the colonies they could contribute towards the support of the additional expense which must attend their civil and military establishment.

1763. May. The head of the board of trade was the Earl of Shelburne. He was at that time not quite six-and-twenty years old, had served creditably in the seven years' war as a volunteer, and, on his return, was appointed aide-de-camp to George III.

While his report was waited for, Grenville, through Charles Jenkinson, began his system of retrenchment by an order to the commander in chief of the forces in America, now that the peace was made, to withdraw the allowance for victualling the regiments stationed in the cultivated parts of America. This expense was to be met in future by the colonies.

CHAPTER VII.

PONTIAC'S WAR. THE TRIUMVIRATE MINISTRY CONTINUED.

MAY—SEPTEMBER, 1763.

THE western territory, of which England believed itself to have come into possession, was one continuous forest, interrupted only by rocks or prairies or waters, or an Indian cleared field for maize. The English came into the illimitable waste as conquerors; and here and there in the solitudes, all the way from Niagara to the Falls of the St. Mary and the banks of the St. Joseph's, a log fort with a picketed enclosure was the emblem of their pretensions. In their haste to supplant the French, they were blind to danger; and their posts were often left dependent on the Indians for supplies. The smaller garrisons consisted only of an ensign, a sergeant, and perhaps fourteen men; and were stationed at points so remote from one another that, lost in the boundless woods, they could no more be discerned than a fleet of canoes scattered over the Atlantic, too minute to be perceptible, and safe only during fair weather. Yet, feeble as they were, their presence alarmed the red man; for it implied the design to occupy the country which for ages had been his own. His canoe could no longer quiver on the bosom of the St. Mary's, or pass into the clear waters of Lake Huron, or paddle through the strait that connects Huron and Erie, or cross to the waters of the Ohio, without passing by the British flag. By what right was that banner unfurled in the west? What claim to the red man's forest could the English derive from victories over the French? The latter seemed no more to be masters, but rather companions and friends. Enemies now appeared, arrogant in their pretensions, inso- 1763. May.

lent toward those whom they superseded, driving away their Catholic priests, and introducing the traffic in rum, which till then had been effectually prohibited. Since the French must go, no other nation should take their place. The red men must vindicate their right to their own heritage.

1763. May. The conspiracy began with the lower nations, who were the chief instigators of discontent. "The English mean to make slaves of us, by occupying so many posts in our country. We had better attempt something now, to recover our liberty, than wait till they are better established." So spoke the Senecas to the Delawares, and they to the Shawnees, and the Shawnees to the Miamis and Wyandots, whose chiefs, slain in battle by the English, were still unavenged, until, from the Niagara and the Alleghanies to the Mississippi and Lake Superior, all the nations concerted to rise and put the English to death.

The plot was discovered in March by the officer in command at Miami; and, "after a long and troublesome" interview, the bloody belt, which was then in the village and was to be sent forward to the tribes on the Wabash, was obtained from the Miami chiefs.

On receiving the news, Amherst prepared re-enforcements, and threatened that the mischief should recoil on the Indians themselves, and end in their destruction.

But Pontiac, "the king and lord of all the north-west," — a Catawba prisoner, as is said, adopted into the clan of the Ottawas, and elected their chief; respected, and in a manner adored, by all the nations around him; a man "of integrity and humanity," according to the morals of the wilderness; fertile in resources, and of an undaunted nature, — persevered in the design of recovering the land of the Senecas, and all west of it, by a confederacy of Indian nations.

Of the remote north-western settlements, Detroit was the largest and the most important. The deep, majestic river, more than a half mile broad, carrying its vast flood calmly and noiselessly between the strait and well-defined banks of its channel, imparted grandeur to a country whose rising grounds

and meadows, plains festooned with prolific wild vines, woodlands, brooks, and fountains, were so mingled together that nothing was left to desire. The climate was mild, and the air salubrious. Good land abounded, yielding maize, wheat, and every vegetable. The forests were a natural park, stocked with buffaloes, deer, quails, partridges, and wild turkeys. Water-fowl of delicious flavor hovered along its streams, which yielded to the angler an astonishing variety of fish, especially the white fish, the richest and most luscious of them all. Every luxury of the table might be enjoyed at the sole expense of labor. The cheerful region attracted settlers, alike white men and savages. About sixty French families occupied both banks of the river, on farms, which were about three or four acres wide upon the river, and eighty acres deep; indolent in the midst of plenty, graziers as well as tillers of the soil, and enriched by Indian traffic.

The English fort, of which Gladwin was the commander, was a large stockade, about twenty feet high and twelve hundred yards in circumference, enclosing, perhaps, eighty houses. It stood within the limits of the present city, on the river bank, commanding a wide prospect for nine miles above and below. The garrison was composed of the eightieth regiment, reduced to about one hundred and twenty men and eight officers. Two armed vessels lay in the river; of artillery, there were but two six-pounders, one three-pounder, and three mortars, so badly mounted as to be of no use except to inspire terror.

The nation of the Pottawatomies dwelt about a mile below the fort; the Wyandots, a little lower down, on the eastern side of the strait; and five miles higher up, but on the same eastern side, the Ottawas.

On the first day of May, Pontiac entered the fort with about fifty of his warriors, announcing his purpose in a few days to pay a more formal visit. He appeared on the seventh, with about three hundred warriors, armed with knives, tomahawks, and guns cut short and hid under their blankets. He was to sit down in council, and, when he should rise, was to speak with a belt white on one

1763. May.

side and green on the other; and turning the belt was to be the signal for a general massacre. But Gladwin had the night before been informed of his coming, and took such precautions that the interview passed off without results.

1763. May. On the morning of the same day, an English party who were sounding the entrance of Lake Huron were seized and murdered. On the eighth, Pontiac appeared once more with a pipe of peace, proposing to come the next day with the Ottawa nation to renew his friendship. But on the afternoon of the ninth he struck his tent, and strictly beleaguered the garrison, which had not on hand provisions enough for three weeks. "The first man that shall bring them provisions, or any thing else, shall suffer death:" such was Pontiac's proclamation. On the tenth, there was a parley, and the fort was summoned to capitulate. Not till after Gladwin had obtained the needed supplies did he break off the treaty, and bid the enemy defiance, yet leaving in their hands the unhappy officer who had conducted the parley. The garrison was in high spirits, though consisting of no more than one hundred and twenty men, against six or seven hundred besiegers.

The rovers of the wilderness, though unused to enterprises requiring time and assiduity, blockaded the place closely. The French inhabitants were divided in their sympathies. Pontiac made one of them his secretary, and supplied his wants by requisitions upon them all. Emissaries were sent even to Illinois to ask for an officer who should assume the conduct of the siege. The savages of the west took part in the general hatred of the English. "Be of good cheer, my father:" such were the words of one tribe after another to the commander at Fort Chartres; "do not desert thy children: the English shall never come here so long as a red man lives." "Our hearts," they repeated, "are with the French; we hate the English, and wish to kill them all. We are all united: the war is our war, and we will continue it for seven years. The English shall never come into the west." But the French officers in Illinois desired to execute the treaty of Paris with loyalty.

On the sixteenth, a party of Indians appeared before the gate of Fort Sandusky. Ensign Paulli, the commander, ordered seven of them, four Hurons and three Ottawas, to be admitted as old acquaintances and friends. They sat smoking, till one of them raised his head as a signal, on which the two that were next Paulli seized and tied him fast without uttering a word. As they carried him out of the room, he saw the dead body of his sentry. The rest of the garrison lay one here and one there; the sergeant, in his garden, where he had been planting. The traders, also, were killed, and their stores plundered. Paulli was taken to Detroit. 1763. May.

An English ensign, a garrison of fourteen soldiers, and English traders, were stationed at the mouth of the St. Joseph's. On the morning of the twenty-fifth, a party of Pottawatomies from Detroit appeared near the fort. "We are come," said they, "to see our relatives and wish the garrison a good morning." A cry was suddenly heard in the barracks; "in about two minutes," Schlosser, the commanding officer, was seized, and all but three of his men were massacred.

Fort Pitt, where twenty boats had been launched to bear the English to the country of the Illinois, was the most important station west of the Alleghanies. Bands of Mingoes and Delawares were seen hovering round the place. On the twenty-seventh, these bitterest enemies of the English exchanged with English traders three hundred pounds' worth of skins for powder and lead, and then suddenly went away, as if to intercept any attempt to descend the river. On the same day, an hour before midnight, the chiefs of the Delawares, having received intelligence from the west, sent their message to Fort Pitt, recounting the attacks on the English posts. "We are sure," they added, giving their first summons, "a party is coming to cut you and your people off; make the best of your way to some place of safety, as we would not desire to see you killed in our town. What goods and other effects you have, we will keep safe."

The next day, Indians scalped a whole family, sparing

neither woman nor child, and left a tomahawk in declaration of war. The passes to the eastward were so watched that it was very difficult to keep up any intercourse, while the woods resounded with the wild halloos which announced successive murders.

Near Fort Wayne, just where the great canal which unites the waters of Lake Erie and the Wabash leaves the waters of the Maumee, stood Fort Miami, garrisoned by an ensign and a few soldiers, deep in the forest, out of sight and hearing of civilized man. On the twenty-seventh, Holmes, its commander, was informed that the fort at Detroit had been attacked, and put his men on their guard; but an Indian woman came to him, saying that a squaw in a cabin, but three hundred yards off, was ill, and wished him to bleed her. He went on the errand of mercy, and two shots that were heard told how he fell. The sergeant who followed was taken prisoner; and the soldiers, nine in number, capitulated.

On the thirtieth, the besieged at Detroit saw a fleet of boats sweeping round the point. They flocked to the bastions to welcome friends; but the death-cry of the Indians announced that an English party from Niagara had, two nights previously, been attacked in their camp, on the beach near the mouth of Detroit River, and utterly defeated, a part turning back to Niagara, the larger part falling into the hands of the savages.

1763. June. At eight o'clock in the night of the last day of May, the war-belt reached the Indian village near Fort Ouatanon, just below Lafayette, in Indiana; the next morning the commander was lured into an Indian cabin and bound, and his garrison surrendered. The French, moving the victors to clemency by gifts of wampum, received the prisoners into their houses.

At Michilimackinac, two acres on the main land, west of the strait, enclosed with pickets, gave room for the cabins of a few traders, and a fort with a garrison of about forty souls. Savages had arrived near it, as if to trade and beg for presents. On the second day of June, the Chippewas, who dwelt in a plain near the fort, assembled to play ball.

This game is the most exciting sport of the red men. Each one has a bat curved like a crosier, and ending in a racket. Posts are planted apart on the open prairie. At the beginning of the game, the ball is placed midway between the goals. The eyes of the players flash; their cheeks glow. A blow is struck; all crowd with merry yells to renew it; the fleetest in advance now driving the ball home, now sending it sideways, with one unceasing passionate pursuit. On that day, the squaws entered the fort, and remained there. Etherington, the commander, with one of his lieutenants, stood outside of the gate, watching the game, fearing nothing. The Indians had played from morning till noon, when, throwing the ball close to the gate, they came behind the two officers, and seized and carried them into the woods; while the rest rushed into the fort, snatched their hatchets, which their squaws had kept hidden under their blankets, and in an instant killed an officer, a trader, and fifteen men. The rest of the garrison and all the English traders were made prisoners, and robbed of every thing they had; but the French traders were not harmed. Thus fell the old post of Mackinaw on the main. 1763. June.

On the eighteenth, the little fort of Le Bœuf was attacked. Its gallant officer kept off the enemy, till at midnight the Indians succeeded in setting the blockhouse on fire; but he escaped secretly, with his garrison, into the woods, while the enemy believed them all buried in the flames.

The fugitives, on their way to Fort Pitt, saw nothing but ruins at Venango. The fort at that place was consumed, never to be rebuilt; and not one of its garrison was left alive to tell the story of its destruction.

The fort at Presque Isle, now Erie, had a garrison of four-and-twenty men, and could most easily be relieved. On the twenty-second, after a two days' defence, the commander, out of his senses with terror, capitulated; giving up the sole chance of saving his men from the scalping-knife. He himself, with a few others, was carried in triumph by the Indians to Detroit.

Nor was it the garrisoned stockades only that encountered the fury of the savages. They struck down more than a

hundred traders in the woods; scalping every one of them, quaffing their blood, horribly mutilating their bodies. They prowled round the cabins on the border; and their tomahawks fell alike on the laborer in the field and the child in the cradle. They menaced Fort Ligonier, the outpost of Fort Pitt; they passed the mountains, and spread death even to Bedford. The emigrant knew not if to brave danger, or to fly from his home. Nearly five hundred families, from the frontiers of Maryland and Virginia, fled to Winchester, bare of every comfort, and forced to scatter themselves among the woods.

In Virginia, nearly a thousand volunteers, at the call of the lieutenant-governor, hastened to Fort Cumberland and to the borders; and the lieutenant-governor of Maryland was able to offer aid.

The legislature of Pennsylvania was ready to arm and pay the farmers and reapers on the frontier, to the number of seven hundred, as a resident force for the protection of the country; but refused to place them under the orders of the British general. This policy, from which it would not swerve, incensed the officers of the army. Their invectives brought upon Pennsylvania once more the censure of the king for its "supine and neglectful conduct," and confirmed the ministry in the purpose of keeping up a regular army in America through taxes by parliament.

So the general, with little aid from Pennsylvania, took measures for the relief of the west. The fortifications of Fort Pitt had never been finished, and the floods had opened it on three sides; but the brave Ecuyer, its commander, without any engineer or any artificers but a few shipwrights, raised a rampart of logs round the fort, above the old one, palisaded the interior of the area, constructed a fire-engine, and, in short, took all precautions which art and judgment could suggest. The post had a garrison of three hundred and thirty men, and gave asylum to more than two hundred women and children.

1763. June. On the twenty-first, a large party of Indians made a vigorous though fruitless assault on Fort Ligonier; the next day, other savages attacked Fort Pitt, on

every side, killing one man and wounding another. The night of the twenty-third, they reconnoitred the fort, and after midnight sought a conference.

"Brother, the commanding officer," said Turtle's Heart, a principal warrior of the Delawares, "all your posts and strong places, from this backwards, are burnt and cut off. Your fort, fifty miles down [meaning Ligonier], is likewise destroyed before now. This is the only one you have left in our country. We have prevailed with six different nations of Indians, that are ready to attack you, to forbear till we came and warned you to go home. They have further agreed to permit you and your people to pass safe to the inhabitants. Therefore, brother, we desire that you may set off to-morrow, as great numbers of Indians are coming here, and after two days we shall not be able to do any thing with them for you."

In reply to this second summons, the commander warned the Indians of their danger from three English armies, on their march to the frontier of Virginia, to Fort Pitt, and to the north-west.

A schooner, with a re-enforcement of sixty men, reached Detroit in June; at daybreak of the twenty-ninth of July, the garrison was gladdened by the appearance of Dalyell, an aide-de-camp to Amherst, with a detachment of two hundred and sixty men. They had entered the river in the evening, and came up under cover of the night. After but one day's rest, Dalyell proposed a midnight sally. He was cautioned that they were on their guard; but the express instructions of Amherst were on his side. Gladwin reluctantly yielded; and, half an hour before three o'clock on the last morning of July, Dalyell marched out with two hundred and forty-seven chosen men, while two boats followed along shore to protect the party and bring off the wounded and dead. They proceeded in double file, along the great road by the river side, for a mile and a half, then, forming into platoons, they advanced a half mile further, when they suddenly received, from the breastworks of the Indians, a destructive fire, which threw them into confusion. The party which made the sally could escape being

1763. July.

surrounded only by an inglorious retreat. Twenty of the English were killed, and forty-two wounded; leaving to a peaceful rivulet the name of The Bloody Run. Dalyell himself fell while attempting to bring off the wounded; his scalp became one more ornament to the red man's wigwam.

This victory encouraged the confederates; two hundred recruits joined the forces of Pontiac, and the siege of Detroit was kept up by bands exceeding a thousand men.

Once more the Delawares gathered around Fort Pitt, accompanied by the Shawnees. The chiefs, in the name of their tribes and of the north-western Indians, for a third time summoned the garrison to retire. "Brothers," said they, "you have towns and places of your own. You know this is our country. All the nations over the lakes are soon to be on their way to the forks of the Ohio. Here is the wampum. If you return quietly home to your wise men, this is the furthest they will go. If not, see what will be the consequence; so we desire that you do remove off."

1763. July. The next day, Ecuyer gave his answer: "You suffered the French to settle in the heart of your country; why would you turn us out of it now? I will not abandon this post; I have warriors, provisions, and ammunition in plenty to defend it three years against all the Indians in the woods. Go home to your towns, and take care of your women and children."

No sooner was this answer received than the united forces of the Delawares, Shawnees, Wyandots, and Mingoes beset and attacked the fort. With incredible boldness, they took post under the banks of both rivers, close to the fort, where, digging holes, they kept up an incessant discharge of musketry and threw fire arrows. Though the English were under cover, they killed one and wounded seven. Ecuyer himself was struck on the leg by an arrow. This continued through the last day of July, when they suddenly vanished.

Bouquet was at that time making his way to relieve Fort Pitt and re-enforce Detroit, with about five hundred men, chiefly Highlanders; driving a hundred beeves and twice

that number of sheep, with powder, flour, and provisions on pack-horses and in wagons drawn by oxen. Between Carlisle and Bedford, they passed the ruins of mills, deserted cabins, fields ripe for the harvest, but without a reaper.

On the second day of August, the troops and convoy arrived at Ligonier, whose commander could give no intelligence of the enemy. All the expresses for the previous month had been killed or forced to return. Leaving the wagons at Ligonier, Bouquet, on the fourth, proceeded with the troops and about three hundred and fifty pack-horses. At one o'clock on the fifth, the savages, who had been at Fort Pitt, attacked the advance-guard; but two companies of Highlanders drove them from their ambuscade. When the pursuit ceased, the savages returned. Again the Highlanders charged with fixed bayonets; but as soon as the savages were driven from one post they appeared in another, and at last were in such numbers as to surround the English, who would have been utterly routed and cut to pieces but for the cool behavior of the troops and the excellent conduct of the officers. Night intervened, during which the English remained on Edge Hill, a ridge a mile to the east of Bushy Run, commodious for a camp except for the total want of water. 1763. Aug.

All that night hope cheered the red men. Morning dawned only to show the English party that they were beleaguered on every side. They could not advance to give battle, for then their convoy and their wounded men would have fallen a prey to the enemy; if they remained quiet, they would be picked off one by one. With happy sagacity, Bouquet feigned a retreat. The red men hurried to charge with the utmost daring, when two companies, that had lain hid, fell upon their flank; others turned and met them in front; and the Indians were routed and put to flight. But Bouquet in the two actions lost, in killed and wounded, about one fourth of his men, and almost all his horses, so that he was obliged to destroy his stores. At night, the English encamped at Bushy Run, and in four days more they arrived at Pittsburg.

Before news of this last conflict with the red men could reach New York, the wrath of Amherst against "the bloody villains" had burst all bounds; and he became himself a man of blood. "As to accommodation with the savages, I will have none," said he, "until they have felt our just revenge. I would have every measure that can be fallen upon for their destruction taken." "Whoever kills Pontiac, the chief ringleader of mischief, shall receive from me a reward of one hundred pounds;" and of this he bade the commander at Detroit make public proclamation. He deemed the Indians not only unfit to be allies and unworthy of being respected as enemies, "but as the vilest race of beings that ever infested the earth, and whose riddance from it must be esteemed a meritorious act, for the good of mankind. You will, therefore," such were his instructions to the officers engaged in the war, "take no prisoners, but put to death all that fall into your hands."

Had this spirit prevailed, the war would have been continued by an endless series of alternate murders, in which the more experienced Indian excelled the white man.

1763. Sept. The Senecas, against whom Amherst had specially directed unsparing hostilities, lay in ambush for one of his convoys about three miles below Niagara Falls; and, on its passing over the carrying-place, fell upon it with such suddenness and vigor that but eight wounded men escaped with their lives, while seventy-two were victims to the scalping-knife.

The first effective measures towards a general pacification proceeded from the French in Illinois. De Neyon, the French officer at Fort Chartres, sent belts and messages and peace-pipes to all parts of the continent, exhorting the many nations of savages to bury the hatchet, and take the English by the hand, for a representative of the king of France would be seen among them nevermore.

CHAPTER VIII.

THE TREASURY ENTER A MINUTE FOR AN AMERICAN STAMP-TAX. MINISTRY OF GRENVILLE AND BEDFORD.

MAY—SEPTEMBER, 1763.

THE savage warfare was relentlessly raging, when the young statesman, to whom the forms of office had referred the subject of the colonies, was devising plans for organizing governments in the newly acquired territories. Of an Irish family, and an Irish as well as an English peer, Shelburne naturally inclined to limit the legislative authority of the parliament of Great Britain over the outlying dominions of the crown. The world gave him credit for great abilities; he had just been proposed to supersede Egremont in the department of state, and, except the lawyers who had been raised to the peerage, he was the best speaker in the house of lords. 1763. May.

For the eastern boundary of New England, Shelburne hesitated between the Penobscot and the St. Croix; on the north-east, he adopted the crest of the watershed dividing the streams tributary to the St. Lawrence River from those flowing into the Bay of Fundy, or the Atlantic Ocean, or the Gulf of St. Lawrence, south of Cape Rosières, designating the line on a map, which is still preserved. At the south, the boundary of Georgia was extended to its present limit. June.

Of Canada, General Murray proposed to make a military colony, and to include within it the lands on the Ohio and the lakes, in order to overawe the older colonies. Shelburne, in a more liberal spirit, desired to restrict that province by a line drawn from the intersection of the parallel of forty-five degrees north with the St. Lawrence to the east end of Lake Nipising. This advice was rejected by Egre-

mont, who insisted on a plan like that of Murray; but Shelburne enforced his own opinion, and the new government did not include the domain, which was to be reserved for the present for the use of the Indians.

Shelburne did not implicate himself in the plans for taxing America. It fell, therefore, to Jenkinson, the principal secretary of the treasury, from the nature of his office, to prepare the business for consideration. Grenville would have esteemed himself unpardonable, if he could have even thought of such a measure as the stamp act, without previously making every possible inquiry into the condition of America. In addition to the numerous public reports and correspondence, information was sought from men who were held in England worthy of trust in all situations, and the exaggerated accounts given by the officers who had been employed in America dispelled every doubt of its ability to bear a part in the national expenses. Ellis, for several years governor of Georgia, looked up to as one of the ablest men that had been employed in America, of whose interests he made pretensions to a thorough knowledge, a favorite of Halifax and the confidential friend of Egremont, had no small share in introducing the new system, and bore away sinecure offices for his reward.

1763. July.

McCulloh, a crown officer in North Carolina, and agent for an English company concerned in a purchase of more than a million acres of land in that province, a man who had influence enough to gain an office from the crown for his son, with seats in the council for his son and nephew, furnished Jenkinson with a brief state of the taxes usually raised in the old settled colonies, and assured him that a stamp-tax on the continental colonies would, at a moderate computation, produce sixty thousand pounds per annum, and twice that sum if extended to the West Indies. He also renewed the proposition which he had made eight years before to Halifax, for gaining an imperial revenue by issuing exchequer bills for the general use of America. But, before any measure was matured, Egremont was no longer secretary of state nor Shelburne at the board of trade.

The triumvirate ministry had neither popularity, nor

weight in parliament. To strengthen his government, the king, conforming to the views sketched by Bute in the previous April, but against the positive and repeated advice of his three ministers, directed Egremont to invite Lord Hardwicke to enter the cabinet, as president of the council. "It is impossible for me," said Hardwicke, at an interview on the first day of August, "to accept an employment, whilst all my friends are out of court." 1763. Aug.

"The king," said Egremont, "cannot bring himself to submit to take in a party in gross, or an opposition party." "A king of England," answered Hardwicke, "at the head of a popular government, especially as of late the popular scale has grown heavier, will sometimes find it necessary to bend and ply a little; not as being forced, but as submitting to the stronger reason, for the sake of himself and his government. King William, hero as he was, found himself obliged to this conduct; so had other princes before him, and so did his majesty's grandfather, King George II., who thanked me for advising him to it."

This wise answer was reported to the king, who, disregarding the most earnest dissuasions of Grenville, desired ten days for reflection; on which Grenville went into the country to await the decision. But on Wednesday, the third, Halifax, with Egremont at his side, harangued the king for half an hour, pressing him, on the instant, to resolve either to support the existing administration or to form another from its adversaries. The angry Egremont spoke to the same effect, and the king all the while preserved absolute silence. "Behavior so insulting and uncivil," said Egremont to Grenville, "I never knew could be held to two gentlemen." Yet the king had only remained silent on a subject on which he had reserved to himself ten days before coming to a decision. Instead of resigning, Egremont was ready to concert with Grenville how to maintain themselves in office in spite of the king's wishes, by employing "absolute necessity and fear."

The king wishing to be rid of Egremont, Shelburne was commissioned to propose a coalition between Pitt and Temple on the one side, and the Duke of Bedford on the other.

The anger of Bedford towards Bute had ripened into hatred. He was therefore willing to enter the ministry, but on condition of Bute's absence from the king's counsels and presence, and Pitt's concurrence in a coalition of parties and the maintenance of the present relations with France. Pitt had no objection to a coalition of parties, and could not but acquiesce in the peace, now that it was made; but Bedford had been his strongest opponent in the cabinet, had contributed to force him into retirement, and had negotiated the treaty which he had so earnestly arraigned. For Pitt to have accepted office with Bedford would have been glaringly inconsistent with his declared opinions, and his engagements with the great whig families in opposition.

1763. Aug. "If I suffer force to be put upon me by the opposition," said the king, after mature reflection, "the mob will try to govern me next;" and he decided to stand by the ministry. But, just at that moment, news came that Egremont was dying of a stroke of apoplexy.

"Your government," said the Duke of Bedford to the king, "cannot stand; you must send to Mr. Pitt and his friends;" advice which Grenville never forgave. On Saturday, the twenty-seventh, Grenville went to the king and found Pitt's servants waiting in the court. He passed two long hours of agony and bitterness in the ante-chamber, incensed and humiliated on finding himself at the mercy of the brother-in-law whom he had betrayed. The king, in his interview with Pitt, proceeded upon the plan of defeating faction by a coalition of parties, and offered the great commoner his old place of secretary of state. "I cannot abandon the friends who have stood by me," said Pitt; and he declined to accept office without them. Nor did he fail to comment on the infirmities of the peace, and to declare that "the Duke of Bedford should have no efficient office whatever." The king preserved his self-possession, combated several of these demands, said now and then that his honor must be consulted, and reserved his decision till a second interview.

Confident that those who made the overture must carry it through, Pitt summoned Newcastle, Devonshire, Rocking-

ham, and Hardwicke to come to London as his council. But the king had no thought of yielding to his "hard terms."

"Rather than submit to them," said he to Grenville, in the greatest agitation, "I would die in the room I now stand in."

On the twenty-ninth, at the second audience, Pitt still insisted on a thorough change of administration. The king closed the debate of nearly two hours by saying: "Well, Mr. Pitt, I see this won't do. My honor is concerned, and I must support it." A government formed out of the minority who had opposed the peace seemed to the king an offence to his conscience and a wound to his honor. "The house of commons," said Pitt, on taking leave, "will not force me upon your majesty, and I will never come into your service against your consent."

Events now shaped themselves. First of all, Bute, having disobliged all sides, went to the country with the avowed purpose of absolute retirement. His retreat was his own act, and not a condition to be made the basis of a new ministry. As a protection against the Duke of Bedford, he desired that Grenville might be armed with every degree of power. Next Lord Shelburne withdrew from office. Bedford, doubly irritated at being proscribed by Pitt, whom he had proposed as minister, promised to support the present system in all its parts, and accepted the post which was pressed upon him by his political friends, by Grenville, and by the king. 1763. Sept.

From seemingly accidental causes, there arose within ten days, out of a state of great uncertainty, a compact and well-cemented ministry. The king, in forming it, stood on the solid ground of the constitution. The last great question in parliament was on the peace, and was carried in its favor by an overwhelming majority. The present ministers had made or supported that peace, and so were in harmony with parliament. If they were too little favorable to liberty, the fault lay in the system on which parliament was chosen; it was an adequate representation of the British constitution of that day, and needed nothing but

cordial union among themselves and with the king to last for a generation.

1763. Sept. Of the secretaries of state, Halifax, as the elder, had his choice of departments, and took the southern, "on account of the colonies;" and the Earl of Hillsborough, like Shelburne an Irish as well as an English peer, was placed at the head of the board of trade.

One and the same spirit was at work on each side of the Atlantic. From Boston, Bernard urged anew the establishment of an independent civil list, sufficient to pay enlarged salaries to the crown officers. While he acknowledged that "the compact between the king and the people was in no colony better observed than in that of the Massachusetts Bay," that "its people in general were well satisfied with their subordination to Great Britain," that "their former prejudices, which made them otherwise disposed, were wholly or almost wholly worn off," he nevertheless railed at "the unfortunate error, in framing the government, to leave the council to be elected annually." He advised rather a council "resembling as near as possible the house of lords;" its members to be appointed for life, with some title, as baronet or baron; composed of people of consequence, willing to look up to the king for honor and authority. A permanent civil list, independent of colonial appropriations, an aristocratic middle legislative power, and a court of chancery, — these were the subjects of the very earnest and incessant recommendation of Bernard to the British government.

After the extension of the British frontier by the cession of Canada, and the consequent security of the interior, New England towns, under grants from Wentworth, the governor of New Hampshire, rose up on both sides of the Connecticut, and extended to the borders of Lake Champlain. But New York, under its old charter to the Duke of York, had long disputed with New Hampshire the jurisdiction of the country between the river and the lake. The British government regarded the contest with indifference, till Colden urged the board of trade to annex to New York all of Massachusetts and of New Hampshire west of the Connecticut

River. "The New England governments," he reasoned, "are all formed on republican principles, and those principles are zealously inculcated in the minds of their youth. The government of New York, on the contrary, is established as nearly as may be after the model of the English constitution. Can it, then, be good policy to diminish the extent of jurisdiction in his majesty's province of New York, to extend the power and influence of the others?"

The assembly of South Carolina was engaged in the defence of "that most essential privilege, solely to judge and finally determine the validity of the election of their own members;" for Boone, their governor, claimed exclusive authority to administer the required oaths, and, on occasion of administering them, assumed the power to reject members whom the house declared duly elected and returned, "thereby taking upon himself to be the sole judge of elections." The "arbitrary and imperious" governor was too clearly in the wrong to be sustained; but the controversy lasted long enough to train the statesmen of South Carolina to systematical opinions on the rights of their legislature, and of the king's power in matters of their privilege.

No sooner was the ministry definitively established, than Grenville, as the head of the treasury, proceeded to redeem the promise made to the house of commons of an American revenue. On the morning of the twenty-second day of September, three lords of the treasury, George Grenville, Lord North, and one Hunter, who completed the number requisite for the transaction of business, held a board in the room set apart for their use in Downing Street; and, without hesitancy or discussion, they adopted a minute directing Jenkinson, the first secretary of the treasury, to "write to the commissioners of the stamp duties to prepare the draft of a bill to be presented to parliament for extending the stamp duties to the colonies." The next day, Jenkinson accordingly wrote to the commissioners "to transmit to him the draft of an act for imposing proper stamp duties upon his majesty's subjects in America and the West Indies." 1763. Sept.

Who was the author of the American stamp-tax? At

a later day, Jenkinson assured the house of commons that, "if the stamp act was a good measure, the merit of it was not due to Grenville; if it was a bad one, the ill policy did not belong to him;" but he never confessed to the house where the blame or the merit could rest more justly. In his late old age, he delighted to converse freely, with the son he loved best, on every topic connected with his long career, save only on the one subject of the contest with America. On that, and on that alone, he maintained an inflexible and total silence.[1] He never was heard even to allude to it. But, though Jenkinson proposed the American tax while private secretary to Bute, and brought it with him into the treasury for adoption by Bute's successor, he was but a subordinate, without power of direction or a seat in council. Nor does the final responsibility attach to Bute; for the ministry had forced him into absolute retirement, and would not have listened to his advice in the smallest matter; nor to the king, for they boasted of being free from sycophancy to the court. Hunter, one of the lords of the treasury, who ordered the minute, was but a cipher; and Lord North, who supported the stamp act, himself told the house of commons that he took the propriety of passing it very much upon the authority of Grenville.

1763. Sept.

From the days of King William, there was a steady line of precedents of opinion that America should, like Ireland, provide in whole, or at least in part, for the support of its military establishment. It was one of the first subjects of consideration on the organization of the board of trade. It again employed the attention of the servants of Queen Anne. It was still more seriously considered in the days of George I.; and when, in the reign of George II., the Duke of Cumberland was at the head of American military affairs, it was laid down as a necessity that a revenue sufficient for the purpose must be provided. The ministry of Bute resolved to raise such a revenue, for which Charles Townshend pledged the government. Parliament wished it; so did the king. Almost all sorts and conditions of men repeatedly made it known that they wished it.

[1] Communicated to me by that son.

For half a century or more, the king had sent executive orders or requisitions. But, upon these, each colonial legislature claimed a right of freely deliberating; and, as there were nearly twenty different governments, it was held that they never would come to a common result. The need of some central power was asserted. To give the military chief a dictatorial authority to require subsistence for the army was suggested by the board of trade in 1696, in the days of King William and of Locke; was more deliberately planned in 1721; was favored by Cumberland, and was one of the arbitrary proposals put aside by Pitt. To obtain the revenue through a congress of the colonies was at one time the plan of Halifax; but, if the congress was of governors, their decision would be only consultatory, and have no more weight than royal instructions; and, if the congress was a representative body, it would claim and exercise the right of free discussion. To support a demand for a revenue by stringent coercive measures was beyond the power of the prerogative, under the system established at the revolution. When New York once failed to make appropriations for the civil service, a bill was prepared to be laid before parliament, giving the usual revenue; and this bill, having received the approbation of the great whig lawyers, Northey and Raymond, was the precedent which overcame Grenville's scruples about taxing the colonies without first allowing them representatives. It was settled that there must be a military establishment in America of twenty regiments; that, after the first year, its expenses must be defrayed by America; that the American colonies themselves, with their various charters, never would agree to vote such a revenue; and that parliament must do it.

It remained to consider what tax parliament should impose; and here all agreed that the first object of taxation was foreign and intercolonial commerce. But that resource, under the navigation acts, would not produce enough. A poll-tax was common in America; but, applied by parliament, would fall unequally upon the colonies holding slaves. The difficulty in collecting quit-rents proved that a land-tax would meet with formidable obstacles. An excise was

thought of, but held in reserve. An issue of exchequer bills, to be kept in circulation as the currency of the continent, would have conflicted with the policy of acts of parliament against the use of paper money in the colonies. Nearly everybody who reasoned on the subject decided for a stamp-tax, as certain of collection, and in America, where lawsuits were frequent, as likely to be very productive. A stamp act had been proposed to Sir Robert Walpole; it had been thought of by Pelham; it had been almost resolved upon in 1755; it had been pressed upon Pitt; it was a part of the system adopted in the ministry of Bute. Knox, the agent of Georgia, defended it as least liable to objection. The agent of Massachusetts, through his brother, Israel Mauduit, who had Jenkinson for his fast friend and often saw Grenville, favored raising money in that way, because it would occasion less expense of officers, and would include the West India Islands; and, speaking for his constituents, he made a merit of cheerful "submission" to the ministerial policy.

One man in Grenville's office, and one man only, did indeed give him sound advice: Richard Jackson, his secretary for the exchequer, advised him to lay the project aside, and formally declined to take any part in preparing or supporting it. But Jenkinson, his secretary of the treasury, rendered every assistance, and outweighed the honest and independent Jackson.

1763. Sept. Grenville therefore adopted the measure which was "devolved upon him," brought it into form, and consented that it should be "christened by his name." He doubted the propriety of taxing colonies without allowing them representatives; but he loved power, and placed his chief hopes on the favor of parliament, which at that day contemplated the increased debt of England with terror, knew not that the resources of the country were increasing in a still greater proportion, and insisted on throwing a part of the public burdens upon America.

CHAPTER IX.

ENFORCEMENT OF THE ACTS OF NAVIGATION. GRENVILLE'S ADMINISTRATION CONTINUED.

October, 1763—April, 1764.

The stamp act was to be the close of a system of colonial "measures," founded, as Grenville believed, "on the true principles of policy, of commerce, and of finance." 1763. Oct. He, said those who paid him court, is not such a minister as his predecessors; he is neither ignorant, like some of them, of the importance of the colonies; nor, like others, impotently neglectful of their concerns; nor diverted by meaner pursuits from attending to them; England is now happy in a minister who sees that the greatest wealth and maritime power of Great Britain depend on the use of its colonies, and who will make it his highest object to form "a well-digested, consistent, wise, and salutary plan of colonization and government."

The extent of the American illicit trade was very great; in particular, it was thought that, of a million and a half pounds of tea consumed annually in the colonies, not more than one tenth part was sent from England. Grenville held that the contraband was all stolen from the commerce and part of it from the manufactures of Great Britain, against the fundamental principles of colonization and the express provisions of the law. Custom had established in the American ports a compromise between the American claim to as free trade as the English and the British acts of restriction. Grenville did what none of his predecessors had done: he read the statute-book of Great Britain, and the integrity of his mind revolted at this connivance. It pleased his austere vanity to be the first and only minister to insist on enforc-

ing the laws, which usage and corruption had invalidated; and this brought him in conflict with the spirit which Otis had aroused in Boston, and which equally prevailed among the descendants of the Dutch of New York.

1764. Oct.

The Island of Manhattan lay convenient to the sea, sheltered by other islands from the ocean; having safe anchorage in deep water for many miles along its shores, inviting the commerce of continents, of the near tropical islands, and of the world. To-day, its ships, fleet, safe, and beautiful in their forms, exceed in amount of tonnage nearly twice over all the commercial marine of Great Britain at the moment of Grenville's schemes. Between its wharfs and the British harbors, its packets run to and fro, swiftly and regularly, like the weaver's shuttle, weaving the band that joins nations together in friendship. Its imports of foreign produce are in value equal twice-told to all that was imported into the whole island of Great Britain in 1763. Nor does a narrow restrictive policy shut out the foreigner; its port is lively with the display at the mast-head of the flag of every civilized nation of the earth. People of all countries have free access, so that it seems the representative city of all Europe, in whose streets may be heard every language that is spoken from the steppes of the Ukraine to the Atlantic. Grenville would have interdicted direct foreign commerce and excluded every foreign vessel. American independence, like the great rivers of the country, had many sources; but the head-spring which colored all the stream was the navigation act.

Reverence for the colonial mercantile system was deeply and ineffaceably branded into Grenville's mind. It was his "idol;" and he adored it as "sacred." He held that colonies are only settlements made in distant parts of the world for the improvement of trade; that they would be intolerable except on the conditions contained in the act of navigation; that those who, from the increase of contraband, had apprehensions that they may break off their connection with the mother country saw not half the evil; that, wherever the acts of navigation are disregarded, the connection is ually broken already. Nor did this monopoly seem to

him a wrong; he claimed for England the exclusive trade with its colonies, as the exercise of an indisputable right which every state, in exclusion of all others, has to the services of its own subjects. His indefatigable zeal could never be satisfied.

All officers of the customs in the colonies were ordered to their posts; their numbers were increased; 1763. Oct. they were provided with "new and ample instructions, enforcing in the strongest manner the strictest attention to their duty;" every officer that failed or faltered was instantly to be dismissed.

Nor did Grenville fail to perceive that "the restraint and suppression of practices which had long prevailed would certainly encounter great difficulties in such distant parts of the king's dominions;" the whole force of the royal authority was therefore invoked in aid. The governors were to make the suppression of the forbidden trade with foreign nations the constant and immediate object of their care. All officers, both civil and military and naval, in America and the West Indies, were to give their co-operation. "We depend," said a memorial from the treasury, "upon the sea-guard as the likeliest means for accomplishing these great purposes;" and that sea-guard was to be extended and strengthened as far as the naval establishments would allow. To complete the whole, and this was a favorite part of Grenville's scheme, a new and uniform system of courts of admiralty was to be established. On the very next day after this memorial was presented, the king himself in council gave his sanction to the system.

Forthwith orders were issued directly to the commander in chief in America that the troops under his command should give their assistance to the officers of the revenue for the effectual suppression of contraband trade.

Nor was there delay in following up the new law to employ the navy to enforce the navigation acts. To this end, Admiral Colville, the naval commander in chief on the coasts of North America, from the river St. Lawrence to Cape Florida and the Bahama Islands, became the head of a new corps of revenue officers. Each captain of his squad-

ron had custom-house commissions and a set of instructions from the lords commissioners of the admiralty for his guidance; and other instructions were given them by the admiral, to enter the harbors or lie off the coasts of America, to qualify themselves by taking the usual custom-house oaths to do the office of custom-house officers, to seize such persons as were suspected by them to be engaged in illicit trade.

1763. Oct.

The promise of large emoluments in case of forfeitures stimulated their natural and irregular vivacity to enforce laws which had become obsolete, and they pounced upon American property as they would have gone in war in quest of prize-money. Even at first, their acts were equivocal, and they soon came to be as illegal as they were oppressive. There was no redress. An appeal to the privy council was costly and difficult; and besides, when, as happened before the end of the year, an officer had to defend himself on an appeal, the suffering colonists were exhausted by the delay and expenses, while the treasury took care to indemnify their agent.

The rule adopted for colonizing America was founded on the uniform principle of grants of lands from the crown, subject to quit-rent; so that the settlements would henceforth consist entirely of the king's tenants, and would owe their landlord a large annual rental. In the small West India Islands, an agrarian law set bounds to the cupidity for land. Egmont, now the head of the admiralty, an upright and able but eccentric man, preferred the feudal system to every form of government, and made a plan for establishing it in the Isle of St. John. This reverie of a visionary he desired to apply to all the conquered countries, which were to be divided into great baronies, each composed of a hundred vassals. In each province there were to be castles, fortified, casemated, and armed with cannon, placed near enough to preserve a connection. The contemptuous neglect of his project inclined him to think lightly of Grenville's ability, and to hate him; nor did he forgive Hillsborough for his opposition.

In forming the new territory into provinces, the fear of

danger from large states led to the division of Florida; for it was held to be good policy to enhance the difficulties of union among the colonies by increasing the number of independent governments.

The boundary of Massachusetts, both on the east and on the north, was clearly defined; extending on the east to the St. Croix, and on the north leaving to the province of Quebec no more than the narrow strip from which the water flows into the St. Lawrence.

For Canada, or the province of Quebec as it was called, the narrower boundaries which had lately been established were retained. All British territory west of Lake Nipising, and west of the Alleghanies, was shut against the emigrant, from the fear that colonies in so remote a region could not be held in dependence. England had carried on a war for the west, and a ministry had come which dared not make use of the conquest. There were some who even advised to abandon the monument to Pitt's name at the head of the Ohio, and to bring to this side the mountains all the settlers beyond them. "The country to the westward, quite to the Mississippi, was intended to be a desert for the Indians to hunt in and inhabit."

Such a policy was impossible; already there was at Detroit the seed of a commonwealth. The long protracted siege drew near its end. The belts sent in all directions by the French reached the nations on the Ohio and Lake Erie. The Indians were assured that their old allies would depart; the garrison in the Peorias was withdrawn; the fort Massiac was dismantled, its cannon sent to St. Genevieve, the oldest settlement of Europeans in Missouri. The missionary Forget retired. At Vincennes, the message to all the nations on the Ohio was explained to the Piankeshaws, who accepted the belts and the calumets.

The courier who took the belt to the north offered peace to all the tribes wherever he passed; and to Detroit, where he arrived on the last day of October, he bore a letter of the nature of a proclamation, informing the inhabitants of the cession of Canada to England; another, addressed to twenty-five nations by name, to all the 1763. Oct.

red men, and particularly to Pontiac, chief of the Ottawas; a third to the commander, expressing a readiness to
1763 Oct. surrender to the English all the forts on the Ohio and east of the Mississippi. The next morning, Pontiac sent to Gladwin that he accepted the peace which his father, the French, had sent him, and desired all that had passed might be forgotten on both sides.

Friendly words were exchanged, though the formation of a definitive treaty of peace was referred to the commander in chief. The savages dispersed to their hunting-grounds.

Nothing could restrain the Americans from peopling the wilderness. To be a freeholder was the ruling passion of the New England man. Marriages were early and very fruitful. The sons, as they grew up, skilled in the use of the axe and the rifle, would, one after another, move from the old homestead; and, with a wife, a yoke of oxen, a cow, and a few husbandry tools, build a small hut in some new plantation, and, by tasking every faculty of mind and body, win for themselves plenty and independence. Such were they who began to dwell in the forests between the Penobscot and the St. Croix, or in the New Hampshire Grants, on each side of the Green Mountains, or in the valley of Wyoming, to which Connecticut laid claim.

The mild climate of the south drew the herdsmen still further into the interior. In defiance of reiterated royal mandates, Virginian adventurers outgrew all limits of territorial parishes, and seated themselves on the New River, near the Ohio, in the forbidden valley of the Mississippi; and not even the terrors of border wars with the savages "could stop the enthusiasm of running backwards to hunt for fresh lands," in men who loved no enjoyment like that of perfect personal freedom in the companionship of nature.

From Carolina the hunters gave names to the streams and rocky ridges of Tennessee, annually passed the Cumberland Gap, and with joyous confidence chased game in the basin of the Cumberland River. From the Holston River to the head-springs of the Kentucky and the Cumberland, there dwelt not one human inhabitant. It was the waste forest

and neutral ground that divided the Cherokees from the Five Nations and their dependants. The lovely region had been left for untold years the paradise of wild beasts, which had so filled the valley with their broods that a thrifty hunter could, in one season, bring home peltry worth sixteen hundred dollars.

So the Mississippi valley was entered at Pittsburg, on the New River, and on the Holston and Clinch. It was only Florida, the new conquest, accepted in exchange for Havana, that civilized men left as a desert. When, in July, possession of it was taken, the whole number of its inhabitants, of every age and sex, men, women, children, and servants, was three thousand; and, of these, the men were nearly all in the pay of the Catholic king. The possession of it had cost him nearly two hundred and thirty thousand dollars annually; and now, as a compensation for Havana, he made over to England the territory which occasioned this fruitless expense. Most of the people, receiving from the Spanish treasury indemnity for their losses, migrated to Cuba, taking with them the bones of their saints and the ashes of their distinguished dead; leaving at St. Augustine their houses of stone, and even the graves, without occupants.

The western province of Florida extended west and north to the Mississippi, in the latitude of thirty-one degrees. On the twentieth of October, the French surrendered the post of Mobile, with its brick fort, which was fast crumbling to ruins. A month later, the slight stockade at Tombigbee, in the west of the Choctaw country, was delivered up. In all this, England gained nothing for the time but an unhealthy station for her troops, for whom there was long no shelter but huts of bark. To secure peace at the south, the secretary of state had given orders to invite a congress of the southern tribes, the Catawbas, Cherokees, Creeks, Chickasaws, and Choctaws; and in a convention held on the tenth of November, at Augusta, at which the governors of Virginia and the colonies south of it were present, the peace with the Indians of the south and south-west was ratified. The head

1763. Nov.

man and chiefs of both the upper and lower Creek nations, whose warriors were thirty-six hundred in number, agreed to extend the frontier of the settlement of Georgia. From this time dates the prosperity of that province, of which the commerce in ten years increased almost fivefold.

For these vast regions, Grenville believed he was framing a perfect system of government, and confidently prepared to meet parliament. His opponents were divided. Newcastle and his friends selected Charles Yorke as chancellor; but Pitt would never hear of it. "My resistance of my Lord Mansfield's influence," said he, "is not made in animosity to the man, but in opposition to his principles;" and, through Charles Yorke, the ways of thinking of Lord Mansfield would equally prevail in Westminster Hall. He was forced, therefore, to dismiss from his mind the dream that any solid union on revolution principles was possible under the various entanglements. So Yorke was a courtier in principle, and yet a leader of the opposition.

1763. Nov.

On the first night of the session, there were two divisions relating to Wilkes, and on both the ministers had a majority of nearly three to one. In the debate on the king's speech and the address, Pitt spoke with great ability; Grenville, in answering him, contrasted his own plans of economy with the profusion which had marked the conduct of the war, and was excessively applauded. The king repeated to him the praises bestowed on the superiority of talent and judgment with which he had spoken. Barré, the gallant associate of Wolfe, was dismissed from the army for his votes, and the brave and candid Conway from the army and from his place in the bed-chamber. Shelburne, also, was not to remain the king's aide-de-camp.

The house of commons readily voted the supplies necessary for the military establishment in the colonies; and this was followed by a renewed grant of the land-tax, which, at four shillings in the pound, produced a little more than two million pounds sterling. "I never will consent," said Grenville, "to continue that high tax after the second year of peace;" and he promised its reduction to three shillings

in the pound, an easement to the landed interest of five hundred thousand pounds. Huske, the new member for Malden, a native of New Hampshire, educated at Boston, the same who in 1755 had foreshadowed the stamp-tax, and had publicly pledged himself to propose a plan for defraying all the expenses of the military service in America by a fund on the colonies, a man who was thought to understand the colonies very well, boasted that taxes might be laid on the colonies to yield five hundred thousand pounds, which would secure the promised relief to the country gentlemen. This sum, he insisted, the Americans were well able to pay, and he was heard by the house with great joy and attention.

In England, the force of opposition was broken. Charles Yorke came penitently and regretfully to Grenville to mourn over his mistake in resigning office, and Grenville felt himself so strong as to dare to slight him. Even Charles Townshend's manifest desire of taking office passed unheeded. Nothing was feared from the opposition in England. Who could look, then, for resistance from America, or forebode danger from a cause on trial in a county court in Virginia? 1763. Dec.

Tobacco was the legalized currency of Virginia. In 1755, and again in 1758, years of war and of distress, the legislature indulged the people in the alternative of paying their public dues, including the dues to the established clergy, in money, at the fixed rate of twopence for the pound of tobacco. All but the clergy acquiesced in the law. At their instance, its ratification was opposed by the bishop of London, who remarked on "the great change in the temper of the people of Virginia in the compass of a few years, and the diminution of the prerogative of the crown." "The rights of the clergy and the authority of the king," said he, "must stand or fall together;" and the act was negatived by the king in council. The "Two-penny Act" became, therefore, null and void from the beginning; and in the Virginia courts of law it remained only to inquire by a jury into the amount of damages which the complainants had sustained.

Patrick Henry was one of those engaged to plead against "the parsons," whose cause was become a contest between the prerogative and the people of Virginia. When a boy, he had learned something of Latin; of Greek, the letters; but nothing methodically. It had been his delight to wander alone with the gun or the angling-rod; or, by some sequestered stream, to enjoy the ecstasy of meditative idleness. He married at eighteen; attempted trade; toiled unsuccessfully as a farmer; then, with buoyant mind, resolved on becoming a lawyer; and, answering questions by the aid of six weeks' study of Coke upon Littleton and the Statutes of Virginia, he gained a license as a barrister. For three years the novice dwelt under the roof of his father-in-law, an inn-keeper near Hanover court-house, ignorant of the science of law, and slowly learning its forms.

1763. Dec. On the first day of December, as Patrick Henry entered the court, before which he had never spoken, he saw on the bench more than twenty clergymen, the most learned men in the colony; and the house was filled and surrounded by a multitude. To the select jury which had been summoned, Maury, "the parson" whose cause was on trial, made objections; for he thought them of "the vulgar herd," and three or four of them dissenters of the sect called "New Lights." "They are honest men," said Henry, "and therefore unexceptionable;" and, the court being satisfied, "they were immediately called to the book and sworn."

The course of the trial was simple. The contract was that Maury should be paid sixteen thousand pounds of tobacco: the act of 1758 fixed the value at twopence a pound; in 1759, it had been worth thrice that sum. The king had disallowed the act of 1758. The counsel for the clergy briefly explained the standard of their damages, and gave a high-wrought eulogium on their benevolence.

The forest-born orator rose awkwardly to reply, but faltered only as he began. He built his argument on the natural right of Virginia to self-direction in her affairs, against the prerogative of the crown and the civil establishment of the church, against monarchy and priestcraft.

The act of 1758, having every characteristic of a good law, and being of general utility, could not, consistently with the original compact between king and people, be annulled. "A king," he added, "who annuls or disallows laws of so salutary a nature, from being the father of his people degenerates into a tyrant, and forfeits all right to obedience." At this assertion, the opposing counsel cried out aloud to the bench: "The gentleman has spoken treason." Royalists in the crowd raised a confused murmur of "treason, treason, treason." "The harangue," thought one of the hearers, "exceeds the most seditious and inflammatory of the most seditious tribunes in Rome." The crowd, rapt in silence, filling every spot in the house, and every window, bent forward to catch the words of the patriot as he proceeded. He defined the use of an established church and of the clergy in society: "When they fail to answer those ends," thus he addressed the jury, "the community have no further need of their ministry, and may justly strip them of their appointments. In this particular instance, by obtaining the negative of the law in question, instead of acquiescing in it, they ceased to be useful members of the state, and ought to be considered as enemies of the community." "Instead of countenance, they very justly deserve to be punished with signal severity." "Except you are disposed yourselves to rivet the chains of bondage on your own necks, do not let slip the opportunity now offered of making such an example of the reverend plaintiff as shall hereafter be a warning to himself and his brothers not to have the temerity to dispute the validity of laws authenticated by the only sanction which can give force to laws for the government of this colony, the authority of its own legal representatives, with its council and governor." In this manner he set aside the negative of the king in council as itself in equity a nullity. The cause seemed to involve only the interests of the clergy, and Henry made it the cause of the people of America. The jury promptly rendered a verdict of a penny damages. A motion for a new trial was refused: an appeal was granted; but, the verdict being received, there was no redress. The throng gathered

1763. Dec.

in triumph round their champion, child of the yeomanry, who on that day had taught them to aspire to religious liberty and legislative independence. "The crime of which Henry is guilty," wrote one of the clergy, "is little, if any, inferior to that which brought Simon Lord Lovat to the block." For "the vindication of the king's injured honor and authority," they urged the punishment of the young Virginian; and a list was furnished of witnesses who could insure his conviction.

In quest of business, Patrick Henry removed to the county of Louisa; but he loved the greenwood better even than before; and, as he strolled through the forest, with his ever ready musket in his hand, his serene mind was ripening for duty, he knew not how, by silent communion with nature.

1764. Jan. The movement in Virginia was directed against the prerogative; vague rumors prevailed of new commercial and fiscal regulations, to be made by act of parliament; and yet Americans refused to believe it possible that the British legislature would wilfully subvert their liberty. No remonstrance was prepared against the impending measures, of which the extent was kept secret. Massachusetts, in January, 1764, with a view to effect the greatest possible reduction of the duty on foreign West Indian products, elected Hutchinson as its joint agent with Mauduit. But, before he could leave the province, the house began to distrust him, and, by a majority of two, excused him from the service. Its next choice fell on Grenville's secretary, Richard Jackson.

The designs of government were confided to the crown officers in America. For generations, they and their predecessors had been urging the establishment of a parliamentary revenue for their support. They sought office in America for its emoluments; the increase and security of those emoluments formed their whole political system. When they learned that the taxes which they had so long and so earnestly recommended were to be applied exclusively to the support of the army, they shrunk from upholding obnoxious measures, which to them were to bring no

profit. In their view, a parliamentary regulation of colonial charters, and a certain and sufficient civil list, laid upon perpetual funds, should take precedence of all other business. But Grenville, in so far accepting the opinions of his upright secretary, Jackson, refused to become the attorney for American office-holders, or the founder of a stupendous system of colonial patronage and corruption. When Halifax urged the payment of the salaries of the crown officers in the colonies directly from England, in accordance with the system which he had been maturing since 1748, Grenville would not consent to it; and, though Halifax, at a formal interview with him, at which Hillsborough and Jenkinson were present, became extremely heated and eager, Grenville remained inflexible.

Nor would he listen to the suggestion that the revenue to be raised in America should constitute a fund to be disposed of under the sign manual of the king; he insisted that it should be paid into the receipt of the exchequer, to be regularly appropriated by parliament. Nor did he take part in the schemes which were on foot to subvert the charters of the colonies, control their domestic governments, and confer paramount authority on the military officers in America; though he did not, indeed, insist that the ministry should conform to his opinions. When, therefore, he came to propose taxes on Ameriea, he was at variance with his colleagues, whose plan of government he opposed, and with the whole body of colonial office-holders, whose selfishness he refused to subserve. So the plans of Halifax and Charles Townshend, for the time, fell to the ground. Grenville had but one object: to rivet the support of the landed gentry, whose favor secured majorities in parliament and gave a firm tenure of office. He was narrow-minded and obstinate; but it was no part of his intention to introduce despotic government into the New World.

For a moment, the existence of the ministry itself was endangered. All parties joined in expelling Wilkes from parliament; but the opposition with great address raised an abstract question on the legality of general warrants. They were undoubtedly illegal; Grenville him- 1764. Feb.

self was sure of it. He therefore changed the issue, and insisted that a single branch of the legislature ought not to declare law; that to do so would be an encroachment on the power of parliament, and on the functions of the judiciary before which the question was pending. He defended his well-chosen position with exceeding ability; and in a house of four hundred and fifty he escaped, but only by a majority of fourteen. In the account of the division sent by Grenville to the king, marks of being dispirited were obvious; and the king instantly answered "that, if he would but hide his feelings, and speak with firmness, the first occasion that offered he would find his numbers return." The opportunity came with the presentation of the budget.

1764. Feb.

Grenville had been "made to believe" that the Americans were able to contribute to the revenue, and he had little reason to think them so stubborn as to refuse the payment of a tax. There was not "the least disposition in the agents of the colonies to oppose it;" and the agent of Massachusetts had made a merit of his submission. Thomas Pownall, "the fribble," who had been governor of Massachusetts, and is remembered as one who grew more and more liberal as he grew old, openly contended for an American revenue, to "be raised by customs on trade, a stamp duty, a moderate land-tax in lieu of quit-rents, and an excise." The secretary of Maryland had for years watched the ripening of the measure, and could not conceal his joy at its adoption.

March.

Yet there were motives enough to make Grenville reluctant to propose a stamp-tax for America. Jackson, his secretary, would never be privy to any measures taken with respect to it, after having formally declined giving any other advice on the subject excepting that which he had always given, to lay the project aside. Lord Hillsborough, then first lord of the board of trade, as yet retained enough of the spirit of an Irishman to disapprove a direct taxation of a dependency of the British empire by a British act of parliament, gave his advice against the stamp act, and to the last withheld from it his support. Moreover, the tradi-

tions of the whig party, whose principles Grenville claimed to represent, retained the opinions of Sir Robert Walpole, and questioned the wisdom of deriving a direct parliamentary revenue from America. "Many members of the house of commons declared against the stamp duty, while it was mere matter of conversation;" nor could Grenville have been ignorant that Pitt had in vain been urged to extend it to the colonies.

The Americans in London unanimously denied alike the justice and the right of the British parliament, in which their country was not represented, to grant their property to the crown. This questioning of the power of parliament irritated the minister; as a thorough whig, he regarded the parliament of England as in all cases supreme; he knew "no other law, no other rule." But the force of the objection derived from the want of a colonial representation did not escape his consideration. Accepting the theory of the British constitution, which regarded the house of commons as a representative body, in his inner mind he recognised, and to one friend he confessed, the propriety of allowing America representation in the body by which it should be taxed, and wished that parliament would couple the two measures. 1764. March.

It was under such circumstances that Thomas Penn, one of the proprietaries of Pennsylvania, Allen, a loyal American, then its chief justice under a proprietary appointment, and Richard Jackson the agent of its people, obtained an interview with Grenville. They reasoned against entering on a system of direct taxation. The stamp duty, they said, was an internal regulation; and they entreated him to wait till some sort of consent to it should be given by the assemblies, to prevent a tax of that nature from being laid without the consent of the colonies. Huske, repenting of his hasty zeal, entreated delay till America could be heard. Grenville's colleagues did not share his scruples; but his mind was accustomed to balance opinions, and he desired to please all parties. He persisted, therefore, in the purpose of proposing a stamp-tax, but from "tenderness" to the colonies, and at the risk of being scoffed at by the whole Bedford

party for his hesitancy, he agreed to postpone the tax for a year; not perceiving that he did but "allow time for mooting the question of right and preparing in the colonies an opposition to the law."

He also, as was always his method, looked about for palliatives to reconcile America to his new regulations. In doing this, he still continued within the narrow limits of protection. The British consumption of foreign hemp amounted in value to three hundred thousand pounds a year; Grenville was willing to shake off the precarious dependence upon other countries. The bounties on hemp and flax, first given in the time of Queen Anne, having never been called for, had been suffered to drop. The experiment was renewed; and a liberal bounty was granted on hemp or undressed flax imported from America. But it was expected that no American would be "so unreasonable or so rash" as to engage in the establishment of linen manufactories there, even of "the coarser kinds" of linens; for the exigencies of the state required that Great Britain should disappoint American establishments of manufactures as "contrary to the general good."

1764. April.

To South Carolina and Georgia, special indulgence was shown; following the line of precedent, rice, though an enumerated commodity, was, on the payment of a half subsidy, allowed to be carried directly to any part of America south of those colonies; so that the broken and mowburnt rice might be sold as food for negroes, and good rice made cheaper for the British market.

The boon that was to mollify New England was concerted with Israel Mauduit, acting for his brother, the agent of Massachusetts; and was nothing less than the whale fishery. In vain had Great Britain striven to compete with the Dutch in that branch of industry. Grenville gave up the unsuccessful attempt, and sought a rival for Holland in British America, which had hitherto lain under the double discouragement of being excluded from the benefit of a bounty and of having the products of its whale fishing taxed unequally. He now adopted the plan of gradually giving up the bounty to the British whale fishery, which would be

a saving of thirty thousand pounds a year to the treasury, and of relieving the American fishery from the inequality of the discriminating duty, except the old subsidy, which was scarcely one per cent. This is the most liberal measure of Grenville's administration, of which the merit is not annulled by the fact that the American whale fishery was superseding the English under every discouragement. It required liberality to accept this result as inevitable, and to favor it. It was done, too, with a distinct conviction that "the American whale fishery, freed from its burden, would soon totally overpower the British." So this valuable branch of trade, which produced annually three hundred thousand pounds, and which would give employment to many shipwrights and other artificers, and to three thousand seamen, was resigned to America. The gain would, in the first instance, be the gain of New England; but the mother country, reasoned Grenville, feels herself benefited by the welfare of every particular colony, and the colonies must much more contribute interchangeably to the advantage of each other. 1764. April.

It was after these preparations that, on the memorable ninth day of March, 1764, George Grenville made his first appearance in the house of commons, as chancellor of the exchequer, to unfold the budget. He did it with art and ability. He boasted that the revenue was managed with more frugality than in the preceding reign; he explained his method of funding the debt. He received great praise for having reduced the demands from Germany, which had amounted to nearly nine millions of pounds, and were settled for about thirteen hundred thousand pounds. The demands from the landgrave of Hesse exceeded seventeen hundred thousand pounds, and he was put off with a payment of one hundred and fifty thousand pounds. The taxes of Great Britain exceeded, by three millions of pounds, what they were in 1754, before the war; yet the present object was only to make the colonies maintain their own army. Till the last war, they had never contributed to the support of an army at all. Beside the taxes on trade, which were immediately to be enacted, Grenville gave notice in

the house that it was his intention, in the next session, to bring in a bill imposing stamp duties in America; and the reasons for giving such notice were because he understood some people entertained doubts of the power of parliament to impose internal taxes in the colonies, and because he was not so wedded to a stamp act as to be unwilling to give it up for any one that might appear more eligible; or, if the colonies themselves thought any other mode would be more expedient, he should have no objections to come into it by act of parliament. The opposition were called upon to deny, if they thought it fitting, the right of the legislature to impose any tax, internal or external, on the colonies; and not a single person ventured to controvert that right. Upon a solemn question, asked in a full house, there was not one negative. "As we are stout," said Beckford, "I hope we shall be merciful;" and no one else made a reply.

1764. April.

On the fourteenth of March, Charles Jenkinson, from a committee on which he had for his associates Grenville and Lord North, reported a bill modifying and perpetuating the act of 1733, with some changes to the disadvantage of the colonies; an extension of the navigation acts, making England the storehouse of Asiatic as well as of European supplies; a diminution of drawbacks on foreign articles exported to America; imposts in America, especially on wines; a revenue duty instead of a prohibitory duty on foreign molasses; an increased duty on sugar; various regulations to sustain English manufactures, as well as to enforce more diligently the acts of trade; a prohibition of all trade between America and St. Pierre and Miquelon.

The bill was rapidly carried through its several stages, was slightly amended, on the fourth of April was agreed to by the lords, and on the next day was approved by the king. "These new taxes," wrote Whately, the joint secretary of the treasury, "will certainly not be sufficient to defray that share of the American expense which America ought and is able to bear. Others must be added." The act had for the first time the title of "granting duties in the colonies and plantations of America; for the first time it

was asserted, in the preamble, that it was just and necessary that a revenue should be raised there."

When the agents waited upon Grenville, to know what could be done to avert the stamp act, he answered: "I have proposed the resolution in the terms that parliament has adopted, from a real regard and tenderness for the subjects in the colonies. It is highly reasonable they should contribute something towards the charge of protecting themselves, and in aid of the great expense Great Britain put herself to on their account. No tax appears to me so easy and equitable as a stamp duty: it will fall only upon property, will be collected by the fewest officers, and will be equally spread over America and the West Indies. What ought particularly to recommend it is the mode of collecting it, which does not require extraordinary powers of entering houses, or extend a sort of influence which I never wished to increase. The colonists now have it in their power, by agreeing to this tax, to establish a precedent for their being consulted before any tax is imposed on them by parliament; for their approbation of it being signified to parliament next year, when the tax comes to be imposed, will afford a forcible argument for the like proceeding in all such cases. If they think any other mode of taxation more convenient to them, and make any proposition of equal efficacy with the stamp duty, I will give it all due consideration." But this offer was only for form's sake. To a considerate and most respectable merchant, a member of the house of commons, who was making a representation against proceeding with the stamp act, Grenville answered: "If the stamp duty is disliked, I am willing to change it for any other equally productive. If you object to the Americans being taxed by parliament, save yourself the trouble of the discussion, for I am determined on the measure." The colonists were apprised that not a single member of either house doubted of the right of parliament to impose a stamp duty or any other tax upon them; and the king, at the prorogation, gave to what he called "the wise regulations" of Grenville his "hearty approbation." 1764. April.

It seemed as if "the great minister," who was taking

"pains to understand the interests" of the plantations, and with "firmness and candor" entering seriously upon regulating their affairs, was about to unite them indissolubly with the mother country by one comprehensive commercial system, and by "interweaving their administration into the British administration."

CHAPTER X.

HOW AMERICA RECEIVED THE PLAN OF A STAMP-TAX. GRENVILLE'S ADMINISTRATION CONTINUED.

APRIL—DECEMBER, 1764.

No sooner was parliament up, than Jenkinson pressed Grenville to forward the American stamp act by seeking that further information, the want of which he had assigned as a reason for not going on with it. 1764. April.

Meantime, the officers of France, as they made their last journey through Canada and down the valley of the Mississippi, and on every side received the expressions of passionate attachment from the many tribes of red men, cast a wistful and lingering look upon the magnificent empire which they were ceding. But Choiseul himself saw futurity better. He who would not set his name to the treaty of peace with Great Britain issued the order, in April, 1764, for the transfer of the Island of New Orleans and all Louisiana to Spain. He did it without mental reserve, foreseeing that the whole colonial system would be changed. In the same year, he sent De Pontleroy, a lieutenant in the navy of the department of Rochefort, to travel through America, under the name of Beaulieu, in the guise of an Acadian wanderer. While England was taxing America by act of parliament, France was counting its steps towards independence.

The world was rising up against superstition and authority over mind; the oppression of industry was passing away, not less than the oppression of free thought. The use of reason was no longer held to be presumption, but a duty, and the very end of creation. "Every thing that I see," wrote Voltaire, in April, "is scattering the seeds of a revolu-

tion, which will come inevitably. Light has so spread from neighbor to neighbor, that on the first occasion it will kindle and burst forth. Happy are the young, for their eyes shall see it."

1764. May. The impulse to the revolution was to proceed from the New World. "My heart bleeds for America," said Whitefield, at Portsmouth, in New Hampshire; "O poor New England, there is a deep-laid plot against both your civil and religious liberties; and they will be lost; your golden days are at an end." But in this case, as so often, evil designs created their own remedy. "If the colonist is taxed without his consent," said the press of New York, "he will, perhaps, seek a change." "The ways of Heaven are inscrutable," wrote Richard Henry Lee, of Virginia, privately to a friend; "this step of the mother country, though intended to secure our dependence, may produce a fatal resentment, and be subversive of that end." "If the colonies do not now unite," wrote Dyer, of Connecticut, from England, "they may bid farewell to liberty, burn their charters, and make the best of thraldom."

Even while it was not yet known that the bill had passed, alarm pervaded New England. In Boston, at the town-meeting in May, there stood up Samuel Adams, a native of the place, trained at Harvard College, a provincial statesman of a clear and logical mind, which, throughout a long life, imparted to his public conduct exact consistency. His vigorous will resembled well-tempered steel, which may ply, but will not break. Instituted a Calvinist of the straitest sect, his riper judgment confirmed him in his creed. On church government, he adhered to the Congregational forms, as most friendly to civil and religious liberty; was a member of the church; and the austere purity of his life witnessed the sincerity of his profession. Evening and morning his house was a house of prayer; and no one more revered the Christian sabbath. He was a tender husband, an affectionate parent, and could vividly enjoy conversation with friends; but the walls of his modest mansion never witnessed dissipation or levity or frivolous amusements, or any thing inconsistent with the discipline of the man whose

incessant desire for his birthplace was that "Boston might become a Christian Sparta."

For his political creed, he held fast the opinions of the fathers of New England, that the colonies and England had a common king, but separate and independent legislatures. When he commenced master of arts at Cambridge, he affirmed that "it is lawful to resist the chief magistrate, if the commonwealth cannot otherwise be preserved;" and when, in consequence of an act of the British parliament overruling the laws of the colony, his father's estate had been taken, he appeared in defence of the supremacy of colonial laws within colonial limits, and by his success gratified alike his filial piety and his love of country. 1764. May.

He was at this time near two-and-forty years of age; poor, and so contented with poverty that men censured him as "wanting wisdom to estimate riches at their just value." But he was frugal and temperate; and his prudent and industrious wife was endowed with the best faculties of a New England woman, so that the small resources, which men of the least opulent class would have deemed a very imperfect support, satisfied his simple wants. Yet such was the union of dignity with economy that whoever visited him saw around him every circumstance of propriety. Above all, he combined with poverty a stern and incorruptible integrity.

Already famed as a political writer, employing wit and sarcasm as well as energy of language and earnestness, no one had equal influence over the popular mind. The blandishments of flattery could not lull his vigilance, nor sophistry deceive his penetration, nor difficulties discourage his decision, nor danger appall his fortitude. He had an affable and persuasive address, which could reconcile conflicting interests and promote harmony in action. He never, from jealousy, checked the advancement of others; and in accomplishing great deeds he took to himself no praise. Seeking fame as little as fortune, and office less than either, he aimed steadily at the good of his country and the best interests of mankind. Trials only nerved him for severer

struggles; his sublime hope was as unfaltering as if it sprung from insight into the divine decrees. For himself and for others, he held that all sorrows and losses were to be encountered, rather than that liberty should perish. Such was his deep devotion, such his inflexibility and courage, he may be called the last of the Puritans, and seemed destined to win for his country "the victory of endurance born."

On his motion and in his words, Boston, while it still set forth its acknowledged dependence upon Great Britain, and the ready submission of its merchants to all just and necessary regulations of trade, asserted its rights and privileges. "There is no room for delay," said the town to its representatives. "Those unexpected proceedings may be preparatory to more extensive taxation; for, if our trade may be taxed, why not our lands and every thing we possess? If taxes are laid upon us in any shape, without our having a legal representation where they are laid, are we not reduced from the character of free subjects to the miserable state of tributary slaves? This annihilates our charter right to govern and tax ourselves. We claim British rights, not by charter only; we are born to them. Use your endeavors that the weight of the other North American colonies may be added to that of this province, that by united application all may happily obtain redress."

The town of Boston denied the right of the British parliament to tax America, and sought redress through a union of all the colonies.

1764. June. At New York, when the English packet arrived tardily in June, all expressed their resentment in the strongest manner. "I will wear nothing but homespun," exclaimed one citizen; "I will drink no wine," echoed another, angry that wine must pay a new duty; "I propose," cried a third, "that we dress in sheepskins with the wool on." "It appears plainly," said the gentle Robert R. Livingston, "that these duties are only the beginning of evils. The stamp duty, they tell us, is deferred, till they see whether the colonies will take the yoke upon themselves, and offer something else as certain. They talk, too, of a land-tax, and to us the ministry appears to have run mad;"

and looking forward to resistance, "We in New York," he added, "shall do as well as our neighbors; the God of heaven, whom we serve, will sanctify all things to those who love him and strive to serve him." 1764. June.

The legislature of Massachusetts was then in session. The Boston instructions, drawn by Samuel Adams, formed the corner-stone of its policy. In pursuance of them, James Otis prepared "a state" of the case for the instruction of the colonial agent in London. By the laws of nature and of nations, the voice of universal reason and of God, by statute law and the common law, this memorial claimed for the colonists the absolute rights of Englishmen: personal security and liberty; the rights of property; the power of local legislation, subject only to the king's negative, as in Ireland; and the sole power of taxing themselves. "The authority of the parliament of Great Britain," such were the words of this paper, "is circumscribed by bounds, which, if exceeded, their acts become mere power without right, and consequently void." "Acts of parliament against natural equity are void. Acts against the fundamental principles of the British institutions are void." "The wild wastes of America have been turned into pleasant habitations; little villages in Great Britain, into manufacturing towns and opulent cities; and London itself bids fair to become the metropolis of the world. These are the fruits of commerce and liberty. The British empire, to be perpetuated, must be built on the principles of justice."

The assembly formally repudiated the concessions of their agent. Their silence had rather been the silence of "despair." They protested against "the burdensome scheme of obliging the colonies to maintain a standing army," as in conflict with the constitution and against reason. They rehearsed their services during the last war. Still incredulous, they demand: "Can it be possible that duties and taxes shall be assessed without the voice or consent of an American parliament? If we are not represented, we are slaves." "Ireland," they cried, connecting the questions of American and Irish liberty, "was a conquered country, yet no duties have been levied by the British parliament on

Ireland." "The resolutions for a stamp act naturally and directly tend to enervate the good-will of America towards Great Britain. Prohibitions of trade are neither equitable nor just; but the power of taxing is the grand barrier of British liberty. If this is once broken down, all is lost." "In a word," say they, representing truly the point of resistance at which America was that year ready to halt, "a people may be free, and tolerably happy, without a particular branch of trade; but, without the privilege of assessing their own taxes, they can be neither."

On the twenty-fifth of June, Otis, Cushing, Thacher, Gray, and Sheafe, as the committee for corresponding with the other colonies, sent a circular letter to them all, exposing the danger that menaced their "most essential rights," and desiring "their united assistance."

On the other hand, Bernard sought to ingratiate himself in England, by sending over for the consideration of his superiors a scheme of American polity which he had employed years in maturing. He urged on the cabinet that a general reformation of the American governments was not only desirable, but necessary; that the colonies enjoyed their separate legislatures not as a right, but as a contingent privilege; that parliament could modify their governments as it should see fit; that its power to impose port duties, and levy internal taxes in the colonies, was not to be disputed; and, if requisitions were neglected, the power ought to be exercised; that there should be for the colonies a certain, sufficient, and independent civil list; that there should be an American nobility for life, to mediate between the king and the people; that the American charters were suited only to the infancy of states, and should be abolished, and one form of government established for all America by parliament. Of the paper containing this advice, Bernard sent copies to the ministry, carefully concealing from America his treacherous solicitations.

1764. July. While he was conducting his secret intrigues, Otis spoke through the press to the world of mankind. "The British constitution," said he, "comes nearest the idea of perfection of any that has been reduced to

practice." "Let parliament lay what burdens they please on us," he even added, "it is our duty to submit and patiently bear them till they will be pleased to relieve us. If any thing fall from my pen that bears the least aspect but that of obedience, duty, and loyalty to the king and parliament, the candid will impute it to the agony of my heart." 1764. July.

"Government," such was his argument, which I shall state as nearly as possible in his own words, "government is founded not on force, as was the theory of Hobbes; nor on compact, as was the theory of Locke and the Revolution of 1688; nor on property, as had been asserted by Harrington. It springs from the necessities of our nature, and has an everlasting foundation in the unchangeable will of God. Man came into the world and into society at the same instant. There must exist in every earthly society a supreme sovereign, from whose final decision there can be no appeal but directly to Heaven. This supreme power is originally and ultimately in the people; and the people never did in fact freely, nor can rightfully, make an unlimited renunciation of this divine right. Kingcraft and priestcraft are a trick to gull the vulgar. The happiness of mankind demands that this grand and ancient alliance should be broken off for ever.

"The omniscient and omnipotent Monarch of the universe has, by the grand charter given to the human race, placed the end of government in the good of the whole. The form of government is left to the individuals of each society; its whole superstructure and administration should be conformed to the law of universal reason. There can be no prescription old enough to supersede the law of nature and the grant of God Almighty, who has given all men a right to be free. If every prince since Nimrod had been a tyrant, it would not prove a right to tyrannize. The administrators of legislative and executive authority, when they verge towards tyranny, are to be resisted; if they prove incorrigible, are to be deposed.

"The first principle and great end of government being to provide for the best good of all the people, this can be

done only by a supreme legislative and executive ultimately in the people, or whole community, where God has placed it; but the difficulties attending a universal congress gave rise to a right of representation. Such a transfer of the power of the whole to a few was necessary; but to bring the powers of all into the hands of one or some few, and to make them hereditary, is the interested work of the weak and the wicked. Nothing but life and liberty are actually hereditable. The grand political problem is to invent the best combination of the powers of legislation and execution: they must exist in the state, just as in the revolution of the planets; one power would fix them to a centre, and another carry them off indefinitely; but the first and simple principle is EQUALITY and THE POWER OF THE WHOLE.

1764. July.

"The best writers on public law contain nothing that is satisfactory on the natural rights of colonies. Even Grotius and Puffendorf establish the matter of right on the matter of fact. Their researches are often but the history of ancient abuses; and the American admiralty courts learn of them to determine controversies by the rules of civil and feudal law. To be too fond of studying them is a ridiculous infatuation. The British colonists do not hold their liberties or their lands by so slippery a tenure as the will of the prince. Colonists are men, the common children of the same Creator with their brethren of Great Britain.

"The colonists are men: the colonists are therefore free born; for, by the law of nature, all men are free born, white or black. No good reason can be given for enslaving those of any color. Is it right to enslave a man because his color is black, or his hair short and curled like wool, instead of Christian hair? Can any logical inference in favor of slavery be drawn from a flat nose or a long or a short face? The riches of the West Indies, or the luxury of the metropolis, should not have weight to break the balance of truth and justice. Liberty is the gift of God, and cannot be annihilated.

"Nor do the political and civil rights of the British colo-

nists rest on a charter from the crown. Old Magna Charta was not the beginning of all things, nor did it rise on the borders of chaos out of the unformed mass. A time may come when parliament shall declare every American charter void; but the natural, inherent, and inseparable rights of the colonists, as men and as citizens, would remain, and, whatever became of charters, can never be abolished till the general conflagration. 1764. July.

"There is no foundation for distinction between external and internal taxes; if parliament may tax our trade, they may lay stamps, land-taxes, tithes, and so indefinitely; there are no bounds. But such an imposition of taxes in the colonies, whether on trade or on land, on houses or ships, on real or personal, fixed or floating property, is absolutely irreconcilable with the rights of the colonists as British subjects and as men. Acts of parliament against the fundamental principles of the British constitution are void.

"Yet the colonists know the blood and treasure independence would cost. They will never think of it, till driven to it as the last fatal resort against ministerial oppression, which will make the wisest mad and the weakest strong. The world is at the eve of the highest scene of earthly power and grandeur that has ever yet been displayed to the view of mankind. Who will win the prize is with God. But human nature must and will be rescued from the general slavery that has so long triumphed over the species."

Thus Otis reasoned for his country and for the race, bringing into the living intelligence of the people the first principles of free government and human rights, ignorant of the beauty of the edifice which he was rearing. He

> Wrought in a sad sincerity;
> Himself from God he could not free;
> He builded better than he knew.

The book of Otis was reprinted in England. Lord Mansfield, who had read it, rebuked those who spoke of it with contempt. But they rejoined: "The man is mad." "What then?" answered Mansfield, in parliament. "One madman often makes many. Massaniello was mad: nobody doubted

it; yet, for all that, he overturned the government of Naples."

But Otis was a prophet, not the leader of a party; full of sagacity in his inspirations, unsteady in conduct. His colleague, Oxenbridge Thacher, was less enthusiastic and less variable. Connection with Great Britain was to him no blessing, if Great Britain would impose burdens unconstitutionally. He vindicated the right of resisting arbitrary taxation by the frequent example of the British parliament; and he dwelt on the danger to the inhabitants of England, if the ministers could disfranchise a million and a half of subjects in America.

"Here," said Mayhew, as he lamented the cold adhesion of "the timid good," and for himself trod the thorny path of resistance to the grandeurs of the world, "here there are many who 'see the right, and yet the wrong pursue.' But it is my fixed resolution, notwithstanding many discouragements, in my little sphere to do all I can that neither the republic nor the churches of New England may sustain any injury." Men began to enter into an agreement not to use a single article of British manufacture, not even to wear black clothes for mourning. To encourage the growth and manufacture of wool, nearly all Boston signed a covenant to eat no lamb.

1764. July. While the people heartened one another in the conviction that taxation by parliament was tyranny, Hutchinson addressed his thoughts to the secretary of the chancellor of the exchequer.

"The colonists," said he, "claim a power of making laws, and a privilege of exemption from taxes, unless voted by their own representatives. In Rome, not only the colonies when first planted, but the provinces when changed into colonies, were freed from taxes for the Roman exchequer of every sort. It can be of no purpose to mention modern colonies. In Europe, the inhabitants of Britain only are free, and the inhabitants of British colonies only feel the loss of freedom; and they feel it more sensibly, because they thought it doubly secured as their natural right and their possession by virtue of the most solemn engagements.

Nor are the privileges of the people less affected by duties laid for the sake of the money arising from them than by an internal tax.

"Not one tenth part of the people of Great Britain have a voice in elections to parliament, and therefore the colonies can have no claim to it; but every man of property in England may have his voice, if he will. Besides, acts of parliament do not generally affect individuals, and every interest is represented. But the colonies have an interest distinct from the interest of the nation; and shall the parliament be at once party and judge? Is it not a continual question, What can be done to make the colonies further beneficial to the nation? And nobody adds, consistently with their rights. You consider us as your property, to improve in the best way you can for your advantage. 1764. July.

"The nation treats her colonies as a father who should sell the services of his sons to reimburse him what they had cost him, but without the same reason; for none of the colonies, except Georgia and Halifax, occasioned any charge to the crown or kingdom in the settlement of them. The people of New England fled for the sake of civil and religious liberty; multitudes flocked to America with this dependence, that their liberties should be safe. They and their posterity have enjoyed them to their content, and therefore have endured with greater cheerfulness all the hardships of settling new countries. No ill use has been made of these privileges; but the dominion and wealth of Great Britain have received amazing addition. Surely the services we have rendered the nation have not subjected us to any forfeitures.

"I know it is said the colonies are a charge to the nation, and they should contribute to their own defence and protection. But, during the last war, they annually contributed so largely that the parliament was convinced the burden would be insupportable, and from year to year made them compensation; in several of the colonies, for several years together, more men were raised, in proportion, than by the nation. In the trading towns, one fourth part of the profit

of trade, besides imposts and excise, was annually paid to the support of the war and public charges; in the country towns, a farm which would hardly rent for twenty pounds a year paid ten pounds in taxes. If the inhabitants of Britain had paid in the same proportion, there would have been no great increase of the national debt.

1764. July.

"Nor is there occasion for any national expense in America. For one hundred years together, the New England colonies received no aid in their wars with the Indians, assisted by the French. Those governments now molested are as able to defend their respective frontiers, and had rather do the whole of it, by a tax of their own raising, than pay their proportion in any other way.

"Moreover, it must be prejudicial to the national interest to impose parliamentary taxes. The advantages promised by an increase of the revenue are all fallacious and delusive. You will lose more than you gain. Britain already reaps the profit of all their trade, and of the increase of their substance. By cherishing their present turn of mind, you will serve your interest more than by your present schemes."

The argument of Hutchinson which Conway read at the time, and pronounced "very sensible and unanswerable against passing the stamp act," reflected the opinion of all candid royalists in the colonies; but the pusillanimous man entreated his correspondent to conceal his confession from those whom it would displease. To his friends in America, he used to say that there was no ground for the distinction between the duties on trade and internal taxes; that, if the parliament intended to go on, there would be a necessity to dispute the distinction; "for," said he, "they may find duties on trade enough to drain us thoroughly." And to members of the legislature of Massachusetts, from whom he had ends to gain, he denied utterly the right of parliament to tax America.

The appeals of the colonies were made in the spirit of loyalty. The wilderness was still ringing with the war-whoop of the savage; the frontiers were red with blood; while the colonies themselves, at the solicitations of Am-

herst and of Gage, his successor, were lavishing their treasure to secure the west to Great Britain. In July, eleven hundred men, composed chiefly of provincial battalions from New Jersey, New York, and Connecticut, that of Connecticut led by Colonel Israel Putnam, the whole under the command of Bradstreet, reached Niagara.

There the Senecas, to save their settlements from imminent destruction, brought in prisoners, and ratified a peace. Half way from Buffalo to Erie, Bradstreet, conforming to his orders from Gage, settled a treaty with the nations dwelling between Lake Erie and the Ohio. 1764. Aug.

At Detroit, in September, he made a treaty, to which the arms of the Chippewas and Ottawas, the Hurons and Miamis, the Pottawatomies, the Sacs, and the Missisagas were attached. Pontiac did not appear, but was included in the covenant. By its conditions, the Indian country was made a part of the royal dominions; its tribes were bound to render aid to the English troops, and in return were promised protection and assistance. Indian murderers and plunderers, as well as British deserters, were to be delivered up; all captives to be restored. The families of English settlers were assured of a welcome. A detachment took possession of Michilimackinac. Sept.

In the same month, in pursuance of the new methods of government, "an impost of four and a half per cent in specie, on produce shipped from Grenada," began to be levied, "by virtue of the prerogative royal;" and this illegal order was justified on the ground that Grenada was a conquered island, in which customs had been collected by the most Christian king.

By the same reasoning, the attorney and solicitor generals of Great Britain came to the opinion that the duties payable in Canada to its former government at the time of the conquest might be legally collected by the authority of the British king; but arbitrary taxation was the only relic of French usages which was retained. By an ordinance of the seventeenth of September, all the laws, customs, and forms of judicature of a populous and long-established col-

ony were in one hour overturned; and English laws, even the penal statutes against Catholics, all unknown to the Canadians, and unpublished, were introduced in their stead. "A general presentment," said Thurlow, "was lodged against all the inhabitants of the colony as papists."

The improper choice and the number of the civil officers sent over from England increased the disquietude of the colony. The ignorant, the greedy, and the factious were appointed to offices which required integrity, knowledge, and abilities. The judge pitched upon to conciliate the minds of seventy thousand foreigners to the laws and government of Great Britain was taken from a jail, and was entirely unacquainted with the civil law and the language of the people. The attorney-general, with regard to the language, was not better qualified. Other principal offices were given by patent to men of interest in England, who let them out to the best bidders, none of whom understood the language of the natives, but all, in their turn, hired such servants as would work at the cheapest rate, without much inquiry how the work was done. As no salary was annexed to these patent places, the value of them depended upon the fees, which the governor was ordered to establish equal to those in the richest ancient colonies; nor could he restrain those officers who lived by fees from running them up to extortion. When he checked them in their views of profit, he was regarded as their enemy, nor was there any chance for harmony in the government, unless all should become equally corrupt.

1764. Sept.

The supreme court of judicature took to itself all causes, civil and criminal. The chicanery and expensiveness of Westminster Hall were introduced into the impoverished province; and English justice and English offices seemed to the poor Canadians an ingenious device to drain them of the little substance which was still left to them. In the one hundred and ten rural parishes, there were but nineteen Protestant families. The rest of the Protestants were a few half-pay officers, disbanded soldiers, traders, mechanics, and publicans, who resided in Quebec and Montreal; most of them, followers of the army, of low education; all, with

their fortunes to make, and little solicitous about the means. "I report them," wrote Murray, "to be, in general, the most immoral collection of men I ever knew." Yet out of these, and these alone, about four hundred and fifty in number, magistrates were to be made and juries composed; for all Catholics were disfranchised. The meek and unresisting province was given over submissively to hopeless oppression, as cold iron suffers blows on the anvil, but neither takes shape nor sparkles. The history of the world furnishes no instance of so rash injustice.

In September, letters were received in New York, announcing that the king in council had, at the instance of Halifax, dismembered New Hampshire, and annexed to New York the country north of Massachusetts and west of Connecticut River. The decision was declaratory of the boundary; and it was therefore held by the royalists that the grants made under the sanction of the royal governor of New Hampshire were annulled. Many of the lands for which the king had received the price, and which were already occupied and cultivated, were granted in the king's name anew, and the former purchasers were compelled to redeem them, or take the risk of eviction.

This decision grew out of the belief of the superior loyalty of New York; and yet, at that moment, the spirit of resistance was nowhere so strong. Its assembly in September, in their address to the governor, claimed for their constituents "that great badge of English liberty, the being taxed only with their own consent." This "exclusive right," the loss of which would bring "basest vassalage," they, in October, represented to the king as a right which "had received the royal sanction;" and they enumerated, as their grievances, "involuntary taxes," the "acts of trade," the substitution of the discretion of a judge of a vice-admiralty court for the trial by jury, the restraint on the use of the credit of the colony by act of parliament. These complaints they repeated in a manifesto to the house of lords, to whom they further "showed" that "the supreme power lodged in a single person" is less fearful than a constitution in which one part of the community holds the right for ever

1764. Oct.

to tax and legislate for the other. If the constitution of Great Britain gives to parliament that right, then, they say, "it is the most unequal constitution that ever existed; and no human foresight or contrivance can prevent its final consummation in the most intolerable oppression."

In a petition and representation to the house of commons, they pleaded that they had never refused, and promised that they never would refuse, to hearken to a just requisition from the crown. They appealed to their records, as evidence before the whole world of their fidelity and steady affection to the mother country; their untainted loyalty and cheerful obedience; their exercise of their political privileges unabused.

1764. Oct.

"An exemption from the burden of ungranted and involuntary taxes," such were the words of the general assembly of New York, "must be the grand principle of every free state. Without such a right vested in themselves, exclusive of all others, there can be no liberty, no happiness, no security, nor even the idea of property. Life itself would become intolerable. We proceed with propriety and boldness to inform the commons of Great Britain, who, to their infinite honor, in all ages asserted the liberties of mankind, that the people of this colony nobly disdain the thought of claiming that exemption as a privilege. They found it on a basis more honorable, solid, and stable; they challenge it, and glory in it as their right. The thought of independency upon the supreme power of the parliament we reject with the utmost abhorrence. The authority of the parliament of Great Britain to model the trade of the whole empire, so as to subserve the interest of her own, we are ready to recognise in the most extensive and positive terms; but the freedom to drive all kinds of traffic, in subordination to and not inconsistent with the British trade, and an exemption from all duties in such a course of commerce, is humbly claimed by the colonies, as the most essential of all the rights to which they are entitled as colonists, and connected in the common bond of liberty with the free sons of Great Britain. For, since all impositions, whether they be internal taxes, or duties paid for what we consume, equally

diminish the estates upon which they are charged, what avails it to any people by which of them they are impoverished?" And they deprecated the loss of their rights as likely "to shake the power and independence of Great Britain."

The people of Rhode Island, headed by Stephen Hopkins, the governor of their own choice, would not admit any just authority in parliament to enact even the laws of trade. Imitating Massachusetts, they elected Hopkins, Daniel Jenckes, and Nicholas Brown their committee of correspondence. These, in their circular of the twelfth of October, expressed their wish "that some method could be hit upon for collecting the sentiments of each colony, and for uniting and forming the substance of them all into one common defence of the whole." 1764. Oct.

The proposition of Rhode Island was received with joy by the assembly of Pennsylvania. That opulent and prosperous colony had failed to make liberal grants for the public service, only because its proprietaries had interposed their negative, unless their own estates should be wholly or partially exempted from taxation. They were, moreover, the landlords of all the inhabitants; and yet to the judges, who were of their own appointment, and were to decide all questions between them and their tenants, they gave no other tenure of office than their own good pleasure. The government, having no support in the affections of the people, was so weak that during the previous winter it had suffered the murder of twenty Indians to pass unpunished, and could not restrain armed mobs who went about threatening the lives of more. To escape from the perpetual intervention of private interest in public affairs, Franklin, with the great body of the Quakers, as well as royalists, desired that the province should become a royal government. The pure-minded and ingenuous John Dickinson, though ever the opponent of the scandalous selfishness of the proprietaries, had in May spoken earnestly against the proposal; for he saw that "the province must stake on the event liberties that ought to be immortal;" and desired to see an olive-leaf, at least, brought to them before they

should quit their ark. On the other side, Joseph Galloway all royalist at heart, urged with vigor the just complaints against the proprietaries.

A petition for the change was adopted by a large majority; but, when in summer the policy of Grenville with regard to the American stamp act was better understood, a new debate arose, in which Franklin took the lead. It was argued that, during the war, the people of Pennsylvania had granted more than their proportion, and were ever ready to grant sums suitable to their abilities and zeal for the service; that, therefore, the proposition of taxing them in parliament was both cruel and unjust; that, by the constitution of the colonies, their business was with the king, and never, in any way, with the chancellor of the exchequer; that they could not make any proposition to Grenville about taxing their constituents by parliament, since parliament had no right to tax them at all; that the notice which they had received bore no marks of being the king's order, or made with his knowledge; that the king had always accompanied his requisition with good words, but that the financier, instead of making a decent demand, had sent a menace that they should certainly be taxed, and had only left them the choice of the manner; and they accordingly "resolved, that as they always had, so they always should think it their duty to grant aid to the crown, according to their abilities, whenever required of them in the usual constitutional manner."

At the elections in autumn, the proprietary party, representing that "the king's little finger would be found heavier than the proprietaries' whole loins," succeeded, by a majority of about twenty votes among near four thousand, in defeating Franklin's return as the representative of Philadelphia. But the new assembly proceeded to an act, which in its consequences was to influence the world. On the twenty-sixth day of October, they elected Benjamin Franklin their agent; and, in spite of the bitter protest of his opponents, he sailed for England, with the liberties of his country in his charge.

1764. Oct.

At that time, Pennsylvania was employing her men and

her treasure to defend the west. Bradstreet had visited Lake Erie and Detroit; to secure a firm peace with the Indians on the Ohio, it was desirable to show a strong force in the midst of their settlements. The regular army could furnish scarcely five hundred men, most of them Highlanders. Pennsylvania, at her own charge, added a thousand, and Virginia contributed a corps of volunteers. These took up the march, under Bouquet, for the heart of Ohio. Virginia volunteers formed the advance-guard, the axe-men followed to clear three paths. On each flank, the soldiers marched in single file; in the centre, two deep, followed by the convoy of well-laden pack-horses and droves of sheep and oxen; a party of light horsemen came next; again, Virginia volunteers brought up the rear. Many who had lost children or friends went with the army to search for them. 1764. Oct.

A little below the mouth of Sandy Creek, chiefs and warriors of the Senecas, the Delawares, and the Shawnees, lighted the council-fire, smoked the calumet, and entreated for peace. At the close of the speech, the Delaware chiefs delivered up eighteen white prisoners, and eighty-three small sticks as pledges for the return of so many more. To insure the performance of their promises, Bouquet marched farther into their country; and at the junction of the White Woman and the Tuscarawas, in the centre of the Indian villages, he made an encampment that had the appearance of an English town.

There the Shawnees, the most violent and warlike of all the tribes, accepting the terms of peace with dejected sullenness, promised by their orator, Red Hawk, to collect all captives from the lower towns, and restore them in the spring; and there the nearer villages delivered up their white prisoners. Mothers recognised their once lost babes; sisters and brothers, scarcely able to recover the accent of their native tongue, learned to know that they were children of the same parents. Whom the Indians spared they loved. They had not taken the little ones and the captives into their wigwams without receiving them into their hearts, and adopting them into their tribes and fami-

lies. At parting with them, the red men shed torrents of tears, and entreated the white men to show kindness to those whom they restored. From day to day they visited them in the camp; they gave them corn and skins. As the English returned to Pittsburg, they followed to hunt for them and bring them provisions. A young Mingo would not be torn from a young woman of Virginia, whom he had taken as his wife. Some of the children had learned to love their savage friends, and wept at leaving them.

1764. Oct. Some of the captives would not return of themselves, and were not brought away but in bonds. Some, who were not permitted to remain, clung to their dusky lovers at parting; others, more faithful still, invented means to escape to the wigwams of their chosen warriors.

With the wilderness pacified, with the French removed, an unbounded career of happiness and tranquillity seemed opening upon the British empire. Never was there a moment when the affections of the colonists struggled more strongly toward England, or when it would have been easier for the mother country to have secured to herself all the benefits of their trade, as well as their good-will. Virginia, appealing to the king, to the house of lords, and to the house of commons, declared the taxation of America by the British parliament to be "subversive of the fundamental principles of the constitution," and dangerous in its example to the empire at home. But, if the people could enjoy "their undoubted rights," "their connection with Britain, the seat of liberty, would be their greatest happiness."

The people of North Carolina, in an address of the assembly, claimed the inherent right and exclusive privilege of imposing their own taxes; but they went no further than to appoint a committee to express their concurrence with Massachusetts.

The assembly of that province, in the vain hope of being heard by the house of commons, yielded to the persuasions of Hutchinson, and consented to plead for the liberties and privileges long enjoyed, without making the claim of right; and it invited England to be content with the advantages

of confining their trade. Connecticut, in a methodical statement, with divisions and subdivisions, and a just enumeration of its services in the war, demonstrated that "charging stamp duties, or other internal duties, by authority of parliament, would be such an infringement of the rights, privileges, and authorities of the colonies, that it might be humbly and firmly trusted, and even relied upon, that the supreme guardians of the liberties of the subject would not suffer the same to be done."

In the midst of the strife about taxation, Colden planned the prostration of the influence of the lawyers and great landholders by insisting that in all cases, even in the common law courts, and without a writ of error, there lay the right to appeal from the verdict of a jury to the king. To the Earl of Halifax, he signalized the lawyer John Morin Scott as an incendiary; and entreated the removal of Justice Robert R. Livingston, who refused appeals from the verdict of juries. In this way the liberal party in New York could not but acquire strength. The merchants opposed the government from hostility to restrictions on trade; the lawyers, from respect to the due course of justice; the large landholders, from fear of the diminution of their estates by the arbitrary exertion of the prerogative.

In Massachusetts, Bernard urged that the proper time was come for the "new arrangement of New England" by the king in parliament. The two "republics" of Connecticut and Rhode Island were to be dissolved; the government of New York was to be extended as far as Connecticut River; Massachusetts to embrace the country from the Connecticut to the Piscataqua. Another colony, with Falmouth — now Portland — as its capital, might extend to the Penobscot, and yet another to the St. John's. "Massachusetts," he continued, "would then afford a fine opportunity for trying the experiment of the most perfect form of government for a mature American province." A modification of its charter, a certain civil list, an order of nobility for life, and places of profit with sure emoluments, would place the king's authority "upon a rock." 1764. Nov.

In Connecticut, the aged Johnson, then enjoying "sweet retirement" in the lovely village of Stratford, the acknowledged organ of the Episcopalians of the north, thought it no sin to pray to God that "the monstrously popular constitution" of Connecticut might be changed; that the government at home might make but "one work" of bringing "all the colonies under one form of government," confidently hoping that the first news in the spring would be bishops for America, and all charter governments dependent immediately on the king.

The few royalists in Rhode Island made known in England their wish for a change of government.

1764. Dec. The ministry, in December, were deliberating how to present the affairs of America to parliament. It was certain that both houses would be all but unanimous in their assertion of its power. The board of trade, therefore, represented to the king that the legislature of Massachusetts by its votes, of New York by its address to Colden, had been guilty "of the most indecent disrespect to the legislature of Great Britain," and the papers were to be laid before parliament. Having thus made sure of vast majorities, the ministry retired to enjoy the Christmas holidays in the country-houses, where wealth and intelligence and tradition combined to give to aristocratic hospitality its greatest grace, abundance, and refinement.

CHAPTER XI.

THE TWELFTH PARLIAMENT OF GREAT BRITAIN PASSES THE AMERICAN STAMP-TAX. GRENVILLE'S ADMINISTRATION CONTINUED.

JANUARY—APRIL, 1765.

AT the opening of the year 1765, the people of New England were reading the history of the first sixty years of the colony of Massachusetts, by Hutchinson. Nothing so much revived the ancestral spirit, which a weariness of the gloomy superstitions, mixed with Puritanism, had long overshadowed. All hearts ran together in the study of the character of New England's fathers; and liberty became the dearer, as men were reminded through what sorrow and self-denial and cost of life it had been purchased. 1765. Jan.

"I always," said John Adams, "consider the settlement of America with reverence and wonder, as the opening of a grand scene and design in Providence for the illumination of the ignorant and the emancipation of the slavish part of mankind all over the earth." This vision was drawing near its fulfilment. On the tenth of January, the king, opening the session of parliament, most wisely for the immediate gain of great majorities by his ministry, most unwisely for his own peace and the welfare of his realm, presented the American question as one of "obedience to the laws and respect for the legislative authority of the kingdom." The raising such a question was dangerous in the extreme; if left undecided, it must throw the administration of the colonies into confusion; if denied, it must heighten their daring; if asserted, it must wound their affections beyond remedy.

In the debates on the forces to be kept up in the navy and the army, Charles Townshend advocated the largest

numbers; "for the colonies," said he, "are not to be emancipated." In private, the arguments in behalf of America were urged with persuasive earnestness. The London merchants found that America was in their debt to the amount of four millions of pounds sterling. Grenville sought to relieve their fears by the profuse offer of bounties to the Americans, as offsets to the intended taxation. "If one bounty," said he to them, "will not do, I will add two; if two will not do, I will add three." He wished to act smoothly in the matter; but he was firmly resolved "to establish as undoubted the authority of the British legislature in all cases whatsoever."

1765. Feb. The agents of the colonies had several meetings and on Saturday, the second of February, Franklin, with Ingersoll, Jackson, and Garth, as agents for Pennsylvania, Connecticut, and South Carolina, waited on the minister, to remonstrate in behalf of America against taxation of the colonies by parliament, and to propose that, if they were to be taxed, they might be invited to tax themselves. "I take no pleasure," replied he, "in bringing upon myself their resentments: it is the duty of my office to manage the revenue. I have really been made to believe that, considering the whole circumstances of the mother country and the colonies, the latter can and ought to pay something to the common cause. I know of no better way than that now pursuing to lay such tax. If you can tell of a better, I will adopt it." Franklin pleaded for the usual method, by the king's requisition, through the secretary of state; and he put into his hands the pledge of Pennsylvania to respect the demand, when so made. "Can you agree," rejoined Grenville, "on the proportions each colony should raise?" To this they could only answer no, on which he remarked that the stamp act would adapt itself to the number and increase of the colonies. Jackson pointed out the danger to the liberties of the colonies, when the crown should have a civil list and support for a standing army from their money, independent of their assemblies. The assemblies, he thought, would soon cease to be called together. "No such thing is intended," replied Grenville

warmly, addressing himself to the Americans. "I have pledged my word for offering the stamp bill to the house, and I cannot forego it; they will hear all objections, and do as they please. I wish you may preserve moderation in America. Resentments indecently expressed on one side of the water will naturally produce resentments on the other. You cannot hope to get any good by a controversy with the mother country. With respect to this bill, her ears will always be open to every remonstrance expressed in a becoming manner."

While the Americans in London were offering objections to the stamp-tax, Soame Jenyns, the oldest member of the board of trade, published authoritatively the views of his patrons. He mocked at the "absurdity" of Otis, and "the insolence" of New York and Massachusetts. "The arguments of America," said he, "mixed up with patriotic words, such as liberty, property, and Englishmen, are addressed to the more numerous part of mankind, who have ears, but no understanding." 1765. Feb.

"The great capital argument, the elephant at the head of this nabob's army, is this: that no Englishman is or can be taxed but by his own consent, or the persons whom he has chosen to represent him. But this is the very reverse of truth; for no man that I know of is taxed by his own consent, least of all an Englishman. The unfortunate counties which produce cider were taxed without the consent of their representatives; and, while every Englishman is taxed, not one in twenty is represented. Are not the people of Manchester and Birmingham Englishmen? And are they not taxed?

"If every Englishman is represented in parliament, why does not this imaginary representation extend to America? If it can travel three hundred miles, why not three thousand? If it can jump over rivers and mountains, why cannot it sail over the ocean? If Manchester and Birmingham are there represented, why not Albany and Boston? Are they not Englishmen?

"It is urged, if the privilege of being taxed by the legislative power within itself alone is once given up, that lib-

erty, which every Englishman has a right to, is torn from them; they are all slaves, and all is lost. But the liberty of an Englishman cannot mean an exemption from taxes imposed by the authority of the parliament of Great Britain. No charters grant such a privilege to any colony in America; and, had they granted it, the grant could have had no force; no charter derived from the crown can possibly supersede the right of the whole legislature. The colonies can no more plead an exemption from parliamentary authority than any other corporation in England.

1765. Feb.

"If it be said that, though parliament may have power to impose taxes on the colonies, they have no right to use it, I shall only make this short reply: that if parliament can impose no taxes but what are equitable, and the persons taxed are to be the judges of that equity, they will in effect have no power to lay any tax at all.

"And can any time be more proper to require some assistance from our colonies, than when this country is almost undone by procuring their present safety? Can any time be more proper to impose some tax on their trade, than when they are enabled to rival us in their manufactures by the protection we have given them? Can any time be more proper to oblige them to settle handsome incomes on their governors, than when we find them unable to procure a subsistence on any other terms than those of breaking all their instructions? Can there be a more proper time to compel them to fix certain salaries on their judges, than when we see them so dependent on the humors of their assemblies that they can obtain a livelihood no longer than during their bad behavior? Can there be a more proper time to force them to maintain an army at their expense, than when that army is necessary for their own protection, and we are utterly unable to support it? Lastly, can there be a more proper time for this mother country to leave off feeding out of her own vitals these children whom she has nursed up, than when they are arrived at such strength and maturity as to be well able to provide for themselves, and ought rather with filial duty to give some assistance to her distress?

"If parliament has a right to tax the colonies, why should this right be exercised with more delicacy in America than it has ever been even in Great Britain itself?

"One method, indeed, has been hinted at, and but one, that might render the exercise of this power in a British parliament just and legal, which is the introduction of representatives from the several colonies into that body. But I have lately seen so many specimens of the great powers of speech of which these American gentlemen are possessed that I should be afraid the sudden importation of so much eloquence at once would endanger the safety of England. It will be much cheaper for us to pay their army than their orators. 1765. Feb.

"The right of the legislature of Great Britain to impose taxes on her colonies, and not only the expediency, but the absolute necessity of exercising that right, have been so clearly, though concisely, proved, that it is to be hoped all parties and factions, all connections, every member of the British parliament, will most cordially unite to support this measure, which every man who has any property or common sense must approve, and which every English subject ought to require of an English administration."

While the colleagues of Grenville scoffed at the idea of an American representation, he was resolved on proposing it indirectly; and he refused to take part in raising the army in America above the civil power.

A dispute had arisen in West Florida between the half-frantic governor, Johnstone, and the commanding officer. Johnstone insisted on the subordination of the military: the occasion was seized to proclaim its supremacy in America. The continent was divided into a northern and southern district, each with its brigadier, beside a commander in chief for the whole; and, on the morning of the sixth of February, Welbore Ellis, secretary of war, who, at the request of Halifax, had taken the king's pleasure on the subject, made known his intention "that the orders of his commander in chief, and under him of the brigadiers-general commanding in the northern and southern departments, in all military matters, should be supreme, and be 1764. Feb. 6.

obeyed by the troops as such in all the civil governments of America." In the absence, and only in the absence, of the general and of the brigadiers, the civil governor might give the word. And these instructions, which concentrated undefined power in the hands of the commander in chief, rested on the words of the commission which Hardwicke had prepared for governing the troops in time of war.

1765. Feb. 6.

At a few hours later on the same day, George Grenville proposed to the committee of ways and means of the whole house of commons fifty-five resolutions, embracing the details of a stamp act for America, and making all offences against it cognizable in the courts of admiralty, without any trial by jury.

To prove the fitness of the tax, Grenville argued that the colonies had a right to demand protection from parliament, and parliament, in return, had a right to enforce a revenue from the colonies; that protection implied an army, an army must receive pay, and pay required taxes; that, on the peace, it was found necessary to maintain a body of ten thousand men, at a cost exceeding three hundred thousand pounds, most of which was a new expense; that the duties and taxes already imposed or designed would not yield more than one hundred thousand pounds, so that England would still have to advance two thirds of the new expense; that it was reasonable for the colonies to contribute this one third part of the expense necessary for their own security; that the debt of England was one hundred and forty millions sterling, of America but eight hundred thousand pounds; that the increase of annual taxes in England, within ten years, was three millions, while all the establishments of America, according to accounts which were produced, cost the Americans but seventy-five thousand pounds.

The charters of the colonies were referred to, and Grenville interpreted their meaning. The clause under which a special exemption was claimed for Maryland was read; and he argued that that province, upon a public emergency, is subject to taxation, in like manner with the rest of the colonies, or the sovereignty over it would cease; and, if it

were otherwise, why is there a duty on its staple of tobacco? and why it is bound at present by several acts affecting all America, and passed since the grant of its charter? Besides, all charters, he insisted, were under the control of the legislature. 1765. Feb. 6.

"The colonies claim, it is true," he continued, "the privilege which is common to all British subjects, of being taxed only with their own consent, given by their representatives; and may they ever enjoy the privilege in all its extent; may this sacred pledge of liberty be preserved inviolate to the utmost verge of our dominions, and to the latest pages of our history." "I would never lend my hand towards forging chains for America, lest in so doing I should forge them for myself." "But the remonstrances of the Americans fail in the great point of the colonies not being represented in parliament, which is the common council of the whole empire, and as such is as capable of imposing internal taxes as impost duties, or taxes on intercolonial trade, or laws of navigation."

The house was full, and all present seemed to acquiesce in silence. Beckford, a member for London, a friend of Pitt, and himself a large owner of West India estates, without disputing the supreme authority of parliament, declared his opinion that "taxing America for the sake of raising a revenue would never do." Jackson, who had concerted with Grenville to propose an American representation in parliament, spoke and voted against the resolutions. "The parliament," he argued, "may choose whether they will tax America or not; they have a right to tax Ireland, yet do not exercise that right. Still stronger objections may be urged against their taxing America. Other ways of raising the moneys there requisite for the public service exist, and have not yet failed; but the colonies, in general, have with alacrity contributed to the common cause. It is hard all should suffer for the fault of two or three. Parliament is undoubtedly the universal, unlimited legislature of the British dominions, but it should voluntarily set bounds to the exercise of its power; and, if the majority think they ought not to set these bounds, then they should give a

share of the election of the legislature to the American colonies, otherwise the liberties of America, I do not say will be lost, but will be in danger; and they cannot be injured without danger to the liberties of Great Britain."

1765. Feb. 6.

Grenville had urged the house not to suffer themselves to be moved by resentment. One member, however, referred with asperity to the votes of New York and Massachusetts; and it was generally held that America was as virtually represented in parliament as the great majority of the inhabitants of Great Britain.

Isaac Barré, the companion and friend of Wolfe, sharer of the dangers and glories of Louisburg and Quebec, seemed to admit the power of parliament to tax America, yet derided the idea of virtual representation. "Who of you, reasoning upon this subject, feels warmly from the heart," he cried, putting his hand to his breast, "who of you feels for the Americans as you would for yourselves, or as you would for the people of your own native country?" and he taunted the house with its ignorance of American affairs.

The charge of ignorance called upon his feet Charles Townshend, the professed master of them. He confirmed the equity of the taxation, and insisted that the colonies had borne but a small proportion of the expenses of the last war, and had yet obtained by it immense advantages at a vast expense to the mother country. "And now," said he, "will these American children, planted by our care, nourished up by our indulgence to a degree of strength and opulence, and protected by our arms, grudge to contribute their mite to relieve us from the heavy burden under which we lie?"

As he sat down, Barré rose, and, with eyes darting fire and outstretched arm, uttered an unpremeditated reply: "*They planted by* YOUR *care!* No: your oppressions planted them in America. They fled from your tyranny to a then uncultivated, unhospitable country, where they exposed themselves to almost all the hardships to which human nature is liable; and, among others, to the cruelties of a savage foe, the most subtle, and, I will take upon me to say,

the most formidable of any people upon the face of God's earth; and yet, actuated by principles of true English liberty, they met all hardships with pleasure, compared with those they suffered in their own country from the hands of those who should have been their friends. *They nourished up by* YOUR *indulgence!* They grew by your neglect of them. As soon as you began to care about them, that care was exercised in sending persons to rule them in one department and another, who were, perhaps, the deputies of deputies to some members of this house, sent to spy out their liberties, to misrepresent their actions, and to prey upon them; men whose behavior on many occasions has caused the blood of those SONS OF LIBERTY to recoil within them; men promoted to the highest seats of justice, some who, to my knowledge, were glad, by going to a foreign country, to escape being brought to the bar of a court of justice in their own. *They protected by* YOUR *arms!* They have nobly taken up arms in your defence; have exerted a valor, amidst their constant and laborious industry, for the defence of a country whose frontier was drenched in blood, while its interior parts yielded all its little savings to your emolument. And believe me — remember I this day told you so — the same spirit of freedom which actuated that people at first will accompany them still. But prudence forbids me to explain myself further. God knows I do not at this time speak from motives of party heat; what I deliver are the genuine sentiments of my heart. However superior to me in general knowledge and experience the respectable body of this house may be, yet I claim to know more of America than most of you, having seen and been conversant in that country. The people, I believe, are as truly loyal as any subjects the king has; but a people jealous of their liberties, and who will vindicate them, if ever they should be violated. But the subject is too delicate; I will say no more."

As Barré spoke, there sat in the gallery Ingersoll, of Connecticut, a semi-royalist, yet joint agent for that province. Delighted with the speech, he made a report of it, which the next packet carried across the At- 1765. Feb. 6.

lantic. The lazy posts of that day brought it in nearly three months to New London, in Connecticut; and it was printed in the newspaper of that village. May had not shed its blossoms, before the words of Barré were as household words in every New England town. Midsummer saw them
1765. Feb. 6. circulate through Canada, in French; and the continent rung from end to end with the cheering name of the SONS OF LIBERTY. But, at St. Stephen's, the members only observed that Townshend had received a heavy blow. The opponents of the measure dared not risk a division on the merits of the question, but about midnight, after a languid debate of seven hours, Beckford moved an adjournment, which Sir William Meredith seconded; and, though they were aided by all those interested in West Indian estates, it was carried against America, by two hundred and forty-five to forty-nine. Conway and Beckford alone were said to have denied the power of parliament; and it is doubtful how far it was questioned even by them.

While this debate was proceeding, faith in English liberty was conquering friends for England in new regions. The people of Louisiana, impatient of being transferred from France, would gladly have exchanged the dominion of Spain for that of England. Officers from West Florida reached Fort Chartres, preparatory to taking possession of the country, which was still delayed by the discontent of the Indians. With the same object, Croghan and a party descended the Ohio from Pittsburg. A plan was formed to connect Mobile and Illinois. The governor of North Carolina believed that, by pushing trade up the Missouri, a way to the great western ocean would be discovered, and an open trade to it be established. So wide was the territory, so vast the interests, for which the British parliament was legislating!

On the seventh of February, Grenville, Lord North,
Feb. 7 & 13. and Jenkinson, with others, were ordered to bring in a stamp bill for America, which on the thirteenth was introduced by Grenville himself, and read the first time without a syllable of debate. Among the papers that were to be stamped, it enumerated the several instruments used in the

courts of episcopal jurisdiction; for he reasoned that one day such courts might be established in America. On the fifteenth, merchants trading to Jamaica offered a petition against it, and prayed to be heard by counsel. "No counsellor of this kingdom," said Fuller, formerly chief justice of Jamaica, "would come to the bar of this house, and question its authority to tax America. Were he to do so, he would not remain there long." It was the rule of the house "to receive no petition against a money bill;" and the petition was withdrawn.

Next, Sir William Meredith, in behalf of Virginia, presented a paper, in which Montague, its agent, interweaving expressions from the votes of the assembly of the Old Dominion, prayed that its house of burgesses might be continued in the possession of the rights and privileges they had so long and uninterruptedly enjoyed, and might be heard. Against this, too, the same objection existed. But Virginia found an advocate in Conway. Indignant at his recent dismissal from the army, as he rose in opposition to Grenville, his cheeks flushed, and he was tremulous from emotion. 1765. Feb.

"Shall we shut our ears," he argued, "against the representations which have come from the colonies, and for receiving which we, with an affectation of candor, allotted sufficient time? For my own part, I must declare myself just as much in the dark as I was the last year. My way of life does not engage me in intercourse with commercial gentlemen, or those who have any knowledge of the colonies. I declare, upon my honor, I expected, as a member sitting in this house, in consequence of the notice given, to receive from the colonies information by which my judgment might be directed and my conduct regulated. The light which I desire, the colonists themselves alone can give. The practice of receiving no petitions against money bills is but one of convenience, from which, in this instance, if in no other, we ought to vary; for from whom, unless from themselves, are we to learn the circumstances of the colonies, and the fatal consequences that may follow the imposing of this tax? The question regards two millions of people,

none of whom are represented in parliament. Gentlemen cannot be serious when they insist even on their being virtually represented. Will any man in this house get up and say he is one of the representatives of the colonies?"

1765. Feb. "The commons," said Gilbert Elliot, "have maintained against the crown and against the lords their right of solely voting money without the control of either, any otherwise than by a negative; and will you suffer your colonies to impede the exercise of those rights, untouched as they now are by the other branches of the legislature?"

"Can there be a more declared avowal of your power," retorted Conway, "than a petition submitting this case to your wisdom, and praying to be heard before your tribunal against a tax that will affect them in their privileges, which you at least have suffered, and in their property, which they have acquired under your protection? From a principle of lenity, of policy, and of justice, I am for receiving the petition of a people from whom this country derives its greatest commerce, wealth, and consideration."

In reply, Charles Yorke entered into a very long and most elaborate defence of the bill, resting his argument on the supreme and sovereign authority of parliament. With a vast display of legal erudition, he insisted that the colonies were but corporations; their power of legislation was but the power of making by-laws, subject to parliamentary control. Their charters could not convey the legislative power of Great Britain, because the prerogative could not grant that power. The charters of the proprietary governments were but the king's standing commissions; the proprietaries were but his hereditary governors. The people of America could not be taken out of the general and supreme jurisdiction of parliament.

The authority of Yorke was decisive: less than forty were willing to receive the petition of Virginia. A third from South Carolina; a fourth from Connecticut, though expressed in the most moderate language; a fifth from Massachusetts, though silent about the question of "right,"—shared the same refusal. That from New York no one could be pre-

vailed upon to present. That from Rhode Island, offered by Sherwood, its faithful agent, claimed by their charter, under a royal promise, equal rights with their fellow-subjects in Great Britain, and insisted that the colony had faithfully kept their part of the compact; but it was as little heeded as the rest. The house of commons would neither receive petitions nor hear counsel.

All the efforts of the agents of the colonies were fruitless. "We might," said Franklin, "as well have hindered the sun's setting." The tide against the Americans was irresistible. "We have power to tax them," said one of the ministry, "and we will tax them." "The nation was provoked by American claims of legislative independence, and all parties joined in resolving by this act to settle the point." Within doors, less resistance was made to the act than to a common turnpike bill. "The affair passed with so very little noise that in town they scarcely knew the nature of what was doing."

On the twenty-seventh, the house of commons sent up the stamp act to the house of lords. In that body, Rockingham was silent; Temple and Lyttelton both approved the principle of the measure, and the right asserted in it. Had there existed any doubt concerning that right, they were of opinion it should then be debated, before the honor of the legislature was engaged to its support. On the eighth of March, the bill was agreed to by the lords, without having encountered an amendment, debate, protest, division, or single dissentient vote. 1765. Mar. 8.

The king was too ill to ratify the act in person. To a few only was the nature of his affliction known. At the moment of passing the stamp act, George III. was crazed; so, on the twenty-second of March, it received the royal assent by a commission. The sovereign of Great Britain, whose soul was wholly bent on exalting the prerogative, taught the world that a bit of parchment bearing the sign of his hand, scrawled in the flickering light of clouded reason, could, under the British constitution, do the full legislative office of the king. Had he been a private man, his commission could have given validity to no instrument whatever.

It was thought "prudent to begin with small duties and taxes, and to advance in proportion as it should be found the colonies would bear." For the present, Grenville attempted nothing more than to increase the revenue from the colonial post-office by reducing the rate of postage in America.

His colleagues desired to extend the mutiny act to America, with power to billet troops on private houses. Clauses for that purpose had been strongly recommended by Gage. They had neither the entire conviction nor the cordial support of Grenville; so that they were introduced and carried through, by the secretary at war, as a separate measure. In their progress, provincial barracks, inns, alehouses, barns, and empty houses were substituted by the merchants and agents for private houses; but there remained a clause to compel the colonies to furnish the troops with various articles; and the sums needed for the purpose were "required to be raised in such manner as the public charges for the province are raised." Thus the billeting act contained, what had never before been heard of, a parliamentary requisition on the colonies.

1765. April. Bounties were at the same time granted on the importation of deals, planks, boards, and timber from the plantations. Coffee of their growth was exempted from an additional duty; their iron might be borne to Ireland; their lumber to Ireland, Madeira, the Azores, and Europe south of Cape Finisterre; the prohibition on exporting their bar iron from England was removed; the rice of North Carolina was as much liberated as that of South Carolina; and rice might be warehoused in England for re-exportation without advancing the duties. It was further provided that the revenue to be derived from the stamp act should not be remitted to England, but constitute a part of the sum to be expended in America.

Grenville also resolved to select the stamp officers for America from among the Americans themselves. The friends and agents of the colonies were invited to make the nominations; and they did so, Franklin among the rest.

"You tell me," said the minister, "you are poor, and

unable to bear the tax; others tell me you are able. Now take the business into your own hands; you will see how and where it pinches, and will certainly let us know it, in which case it shall be eased."

Not one of the American agents in England "imagined the colonies would think of disputing the stamp-tax with parliament at the point of the sword." "It is our duty to submit," had been the words of Otis. "We yield obedience to the act granting duties," had been uttered by the legislature of Massachusetts. "If parliament, in their superior wisdom, shall pass the act, we must submit," wrote Fitch, the governor of Connecticut, elected by the people, to Jackson. "It can be of no purpose to claim a right of exemption," thought Hutchinson. "It will fall particularly hard on us lawyers and printers," wrote Franklin to a friend in Philadelphia, never doubting it would go into effect, and looking for relief to the rapid increase of the people of America. The agent for Massachusetts had recommended it. Knox, the agent for Georgia, wrote publicly in its favor. 1765. April.

Still less did the statesmen of England doubt the result. Thomas Pownall, who had been so much in the colonies, and really had an affection for them, congratulated Grenville in advance "on the good effects he would see derived to Great Britain and to the colonies from his firmness and candor in conducting the American business." No tax was ever laid with more general approbation. The act seemed sure to enforce itself. Unless stamps were used, marriages would be null, notes of hand valueless, ships at sea prizes to the first captors, suits at law impossible, transfers of real estate invalid, inheritances irreclaimable. Of all who acted with Grenville in the government, he never heard one prophesy that the measure would be resisted. "He did not foresee the opposition to it, and would have staked his life for obedience."

CHAPTER XII.

THE MINISTRY OFFEND THE KING AS WELL AS THE COLONIES. ADMINISTRATION OF GRENVILLE CONTINUED.

APRIL—MAY, 1765.

EVENTS within the palace delayed the conflict with America. The king, in his zeal to give the law to his ministers and to govern as well as reign, lost his opportunity of enforcing the stamp act. No sooner had he recovered from the illness, of which the true nature was kept secret even from the members of his cabinet, than, bearing in mind that the heir to the throne was an infant of but two years old, he fearlessly contemplated the contingency of his own incapacity or death; and, though his nerves were still tremulous from mental disease, he, with the aid of Lord Holland, framed a plan for a regency.

1765. April.

The manifest want of confidence in his ministers roused their jealousy; and, when they received his orders to prepare a bill for carrying his design into effect, they thought to fix in the public mind their hostility to Bute and win popularity by disqualifying the princess dowager. To this end, in the choice of the regent, the king was to be "restrained to the queen or any other person of the royal family." He approved the minute entirely, not knowing that, in the opinion of Bedford, Grenville, Halifax, and Sandwich, his own family did not include his mother. At the request of the Duke of Cumberland, the king, again without consulting his four ministers, gave directions that his uncle and his brothers, five in all, should be specially designated as fixed members of the council. This they at first declined to approve, and yielded only on condition that he should renounce the privilege which he had reserved of appointing four others. To Grenville he refused

this concession, and accepted it only after concert with Northington, the chancellor.

Grenville had certainly just cause of complaint; and on Sunday, the twenty-eighth of April, "with a firm and steady countenance," and at very great length, he expostulated with the king on his withholding confidence from his ministers. The king at first started and professed surprise; and, as the conversation proceeded, grew "exceedingly agitated and disturbed, changed countenance, and flushed so much that the water stood in his eyes from the excessive heat of his face:" but he neither denied nor admitted the charge; used no words of anger, of excuse, or of softening; and only put on a smile, when, at a "late hour," the tedious minister "made his bow."

The bill for the regency was committed to Halifax, to be presented to the house of lords. On the second reading, they consented, by a large majority, to leave to the king the naming of the regent. "But who are the royal family to whom the selection is restrained?" asked the Duke of Richmond, in the debate of the first of May. "Does it include the Princess Amelia and the princess dowager?" Talbot, one of the king's friends, answered that it included both; and such was the opinion of the chancellor. "The royal family are those who are in the order of succession, one after another," answered Bedford, unmasking the malice in which the bill had been conceived. Richmond wished that, in the doubt, the judges should be consulted. On this, Sandwich moved an adjournment.

1765. May.

May 1.

May 2.

The king, who had never intended to appoint his mother, was anxious to save her name from disagreeable discussion in parliament. When, therefore, he received the report of the occurrence, Halifax was authorized to use words whose meaning would admit of no dispute. But, before he could deliver his message, Richmond proposed to include among those eligible to the regency "the princess dowager, and others descended from the late king." The motion was rejected by the ministers; after which, Halifax, using the king's authority, renewed the same motion, except that he

omitted the princess dowager. In this way the bill passed the house of lords. The ministry had not intended so much; they had circumvented the king, and used his name to put a brand upon his mother. Bute's friends were thunderstruck, while the Duke of Bedford almost danced for joy.

The king's natural affection was very strong; he suffered the utmost agitation, even to tears; and declared that Halifax "had surprised him into the message." When, on the fifth, he admitted Grenville, he colored with emotion, complained of the disregard to his mother as an offence to her which he could not bear; and, with the embarrassment of a man who begs a favor which he fears may be denied, entreated its removal. Grenville obstinately refused himself to make the necessary motion; but, true to his character as the man of compromises, he consented with no good grace that the name of the princess dowager should be inserted in the house of commons by one of her own servants. This was done, and he advocated the alteration in a speech, chiefly designed to shield the ministry from the charge of inconsistency.

1765. May 5.

"If Lord Halifax is even reprieved," it was said, "the king is more enslaved to a cabal than ever his grandfather was." The ministers believed themselves strong enough to compel their sovereign to conform in all things to their advice. Bedford, therefore, in defiance, tried the experiment of mentioning to him his suspicions that Bute had been "operating mischief to overthrow the government." Grenville also was earnest that the king's ministers should be suffered to retire, or be seen manifestly to possess his favor. But they drew out no satisfactory answer; though Grenville was led to believe his own services indispensable, and admitted into his mind the pleasing delusion that they would be required, even should his old enemy, the Duke of Bedford, be dismissed. On Monday, the thirteenth, the king, in his impatience of ministers who did not love each other and only agreed to give him the law, invoked the aid of his uncle, the Duke of Cumberland, and authorized negotiations with Pitt, with Temple, and the great whig families, for constructing a new administration, in which

May 13.

Charles Townshend should be one of the secretaries of state, and Northumberland, Bute's son-in-law, at the head of the treasury.

On that same day, the regency bill, with the amendment rehabilitating the princess dowager, was accepted by the house of lords. It so happened that in the same sitting a bill came up raising the duties on silks, for the benefit of English weavers. In the commons, it had been countenanced by Grenville, who was always the friend of the protective policy; and it had the approval of the king. But Bedford, having, like Edmund Burke, more liberal views of political economy, spoke on the side of freedom of trade; and the bill was refused a second reading. 1765. May 13.

On Tuesday, the silk-weavers went in a large body to Richmond to petition the king for redress. Cumberland, at that time, was explaining his commission to Rockingham and Newcastle, both of whom were zealous for the proposed change. The Earl of Albemarle, therefore, communicated, in his name, with Pitt, who terminated a conversation of four hours without an engagement, yet without a negative. Edmund Burke, as he watched the negotiation, complained of Pitt's hesitancy, and derided his "fustian." May 14.

Temple and Grafton were summoned to town. Of Grafton, Cumberland asked if a ministry could be formed out of the minority, without Pitt; and received for answer that "nothing so formed could be stable." "The wings of popularity were on Pitt's shoulders."

Lord Temple, who had not one personal quality that fitted him to become a minister, but derived his importance from his rank and wealth, some popularity and his connection with Pitt, already began to be estranged from his brother-in-law, whom he envied and disliked, and reconciled to Grenville, his brother and apparent heir, whom he was now well pleased to see in office. His mind, like Bedford's, was haunted with the spectre of Bute's influence; and the whim seized him to gratify his capricious resentment to the utmost, and show his importance by creating embarrassments. He scouted the idea of placing at the May 15.

head of the treasury a man like Northumberland, whom he looked upon as Bute's lieutenant; while in his heart he was resolved to prevent the dismissal of his brother. Yet, at Cumberland's request, he agreed to hold a consultation with Pitt.

This happened on Wednesday, when the king, on his way to accept the act for a regency, found himself followed by a crowd of weavers, who beset the house of parliament. They piqued themselves on showing him respect; but they vowed vengeance against Bedford, whose chariot they stoned.

1765. May 16. The next day, while Temple was concerting with Pitt preliminary questions, the mob of weavers paraded the streets of London. Bedford repaired with complaints to the king, and Grenville remonstrated; but the king's emotion betrayed his purpose of changing the government.

The ministry had never been, and was not then, a thoroughly united body: Grenville, whom the king had originally chosen as a counterpoise to Bedford, transacted the business; but the secretaries of state claimed equal power, as in the months of the triumvirate. In the language of the Bedford faction, Bedford was minister; and, in point of fact, the ministers were four. Now, however, Bedford took the lead, insisting that they all should act in perfect union; and Grenville, concealing his deep distrust of his colleagues, gave and received promises to withstand the court with inseparable fidelity.

May 17. On Friday, Albemarle repaired once more to Pitt, but met no success. In London, the weavers, threatening death to the Duke of Bedford, assembled in the evening round his house, which they might have sacked and destroyed but for the timely presence of an armed force. The town was in commotion, and persons of all parties hastened to Bedford house to mark their abhorrence of the riot and their joy at its suppression. The dismissing of Bedford at such a moment had the aspect of inviting the mob to dictate a new ministry. Public sympathy turned on the side of the duke. "To attempt changing the government," said Lord Mansfield, "is madness, infatuation, and utter ruin to the king's authority for ever."

But the king had all the impatience of offended pride, excited by sleeplessness and nervous disease. Having received the report of the questions concerted between Pitt and Temple, he said to the Duke of Cumberland, 1765. May 18. on Saturday, in the kindest terms and most explicit words: "I put myself wholly in this affair into your hands."

Early therefore on Sunday, the nineteenth, the May 19. prince hastened to visit Pitt, inviting Temple to join them at a later hour. His journey was a public proclamation of the king's purpose. While the royal envoy was negotiating with the great commoner at Hayes, Grenville, Bedford, Halifax, and Sandwich, confident that no new ministry could be formed, each by himself, went in to the king. Grenville insisted upon receiving orders relating to the change of government. "I would have you adjourn the parliament till Monday fortnight," said the king. "I cannot do it," answered Grenville. "I trust you will put nothing upon me that is disgraceful and dishonorable. Parliament must be adjourned by the man whom your majesty destines to be my successor."

The Duke of Bedford went in next. He spoke of his personal relations from the moment of his consenting to go into France to make the peace; his resolution on his return to live in quiet retirement. He had yielded to the king's earnest solicitations to enter into the ministry, but only on the promise that Lord Bute should not be consulted on any matter. Having reminded the king "how very unfaithfully the conditions proposed by himself had been kept," he proceeded to sketch the character of the favorite, as of one who was at once very ambitious and altogether incompetent to conduct business. "For me," he continued, "I have served you well. All Europe is witness to the strength which your present ministers have restored to your authority, that was tottering under that of my adversary. The opposition is every day becoming more and more feeble. But, since I can no longer be useful, I entreat you not to lose a moment in replacing us all; for the harmony which has subsisted between us does and will continue." Here the king interposed to say: "It is not yet time." Bedford

intimated that the mob had been instigated to attack him by Lord Bute; for he saw the hand of Bute in every thing that he disliked. "Believe no such thing," said the king. "I shall give every order necessary for your safety." "Sir," said Bedford, "I believe it; for your honor is pledged to do so, and your authority is already but too deeply wounded by the daily attacks on one of your ministers, and a peer of the realm, for having given his opinion in parliament."

"Thus," says the duke, "I left him." Bedford was blunt, as suited his open nature; warm, as one who felt himself wronged; excited, as the bravest man might have been, after the risk of having his house torn down about his family. Unabashed, he meant to be plain-spoken, but not to be insolent; and, if he had been so, he did not know it. He was more independent than his royal master. The latter must have a ministry; the former was under no necessity of being of it. He went about vowing vengeance on the courtiers who had exposed him to such unworthy treatment, and resolved to remain in power in spite of the king. "I can depend," said he, "on all my friends as well as colleagues. There have been examples of new ministries that have not been able to last more than four-and-twenty hours."

Meantime, the royal envoy at Hayes was making the great commoner every offer. "I am ready to go to St. James's," said Pitt, "if I can carry the constitution along with me." Since his health was no longer equal to the post of secretary of state, he might select any station. For measures, he might balance the Bourbon alliance by any alliance that he should judge the most valid, and direct the foreign course of England at his pleasure. Consistency required of him the condemnation of general warrants, a peerage for Pratt, and the restoration of Conway and other officers, dismissed for their opinions. "The terms," said Cumberland, "are perfectly just, and must be agreed to." "Chalk out a list of such as you would wish to fill all the posts of business, and, I answer for it, the king will instantly adopt it." For the treasury, Temple was declared acceptable; and, in the conduct of this negotiation, no obstacle arose from the palace. But the wayward Temple had taken part

1765. May 19.

in the interview. "I did not want inducements," said he, "to accept of the great post that presented itself as a supplicant at my gate;" but, in his excessive jealousy of Bute, and his newly revived affection for his brother, he refused to royalty the small alms which it begged; and, without the concurrence of Temple, Pitt could not overcome his own well-founded scruples.

The ministry now set no bounds to their arrogance, and resolved to brave and overcome the still obstinate resistance from the king. Exaggerating the danger from the continuance of the riots, Halifax, on Monday, obeying Bedford's directions about the disposition of the troops, wrote to the king to appoint the Marquis of Granby, their partisan, to the command in chief, insinuating against Cumberland the old and just charge of cruelty and want of popularity; while the king himself, in violation of the constitution, privately ordered Cumberland to act as captain-general. Meantime, the house of lords warmly took up the cause of the ministers; they cheered Halifax, as he declared that he who should dare to advise the king to dismiss Bedford would be the detestation of every honest man in the nation and be held in abomination for ever; and, under strong excitement, making Bedford's persecution their own, they voted unanimously an address to the king for a proclamation against the riots. 1765. May 20.

The king, nevertheless, sent once more a messenger to Pitt; but the moment was not propitious to his return to power, since the old ministers were turned out for no other reason than insisting that the employments and the councils of state should not be separated.

On Tuesday, the twenty-first, the king was in despair; and, though the old ministry was sustained by parliament, and at that moment by public opinion, he would yet have put "in their places any mortal who could have carried on business." Cumberland hated Grenville; but he knew no remedy, and advised his nephew to submit. May 21.

The king next attempted to divide the ministers. "I had a design to change my government," said he to Grenville; "but it is over now." And then, artfully referring

to the differences that had existed between Grenville and other members of the cabinet, he said, "You never have displeased me; I did not mean to have removed you; I know nothing that could induce me to do it;" and he sought to draw from him separately a positive promise to remain in his service. Grenville urged the necessity of consulting his colleagues, and met them for that purpose; but he had hardly begun the conference, before the king, who for many days had not slept two hours in twenty-four, sent for him again "to come to him that moment," showed great impatience on meeting him, and again pressed for his answer. Grenville, in the name of the rest, observed that "before they should again undertake his affairs they must lay before him some questions." "Questions!" said he, abruptly; "conditions you mean, sir; what are they?"

1765. May 22. On Wednesday, Grenville, in behalf of the four, communicated to their sovereign the terms offered him for his capitulation. They were that he should renew assurances against Bute's meddling in state affairs; that Mackenzie, Bute's brother, should be dismissed from his employment and place; that Lord Holland, the adviser of the plan for the regency bill, should meet with the same treatment; that Granby should be appointed commander in chief, to the exclusion of Cumberland; and that the ministers should settle the government in Ireland. Terms more humiliating could not have been devised.

May 23. On the next day, Grenville called to receive the king's submission. Of the insult to be offered to his uncle, he obtained a modification; and no one was made commander in chief. He agreed that Bute should never, directly or indirectly, publicly or privately, have any thing to do with his business; he consented to dismiss Mackenzie from the administration of the affairs of Scotland, but not from the office of privy seal. Grenville was obstinate. "But," interposed the king, "he has my promise to continue in that employment for life; I passed to him my royal word;" and, falling into great agitation, he went so far as to say: "I should disgrace myself, if I dismissed him." "In that case, sir," replied Grenville, "we must decline coming in." "No,'

said the king, "I have desired you to stay in my service; I see I must yield; I do it for the good of my people. But, if you force me to violate my royal word, you are responsible for it, not I." Thus the king gave way; 1765. May. but he was so deeply moved that his physicians were ordered to attend him; his manner became gloomy and discontented; on the following Sunday, the usual drawing-room was omitted; and his mind was so convulsed that he did not choose to take the sacrament.

This is the moment when the power of the British oligarchy, under the Revolution of 1688, was at its culminating point. The ministry esteemed itself, and, through itself, the power of parliament, more firmly established than ever. It had subdued the king, and imposed a system of taxes on America for the benefit of the British exchequer. The colonists could not export the chief products of their industry — neither sugar, nor tobacco, nor cotton, nor indigo, nor ginger; nor fustic, nor other dyeing woods; nor molasses, nor rice, with some exceptions; nor beaver, nor peltry, nor copper ore, nor pitch, nor tar, nor turpentine, nor masts, nor yards, nor bowsprits, nor coffee, nor pimento, nor cocoa-nuts, nor whale-fins, nor raw silk, nor hides, nor skins, nor pot and pearl ashes — to any place but Great Britain, not even to Ireland. Nor might any foreign ship enter a colonial harbor. Salt might be imported from any place into New England, New York, Pennsylvania, and Quebec; wines might be imported from the Madeiras and the Azores, but were to pay a duty in American ports for the British exchequer; and victuals, horses, and servants might be brought from Ireland. In all other respects, Great Britain was not only the sole market for the products of America, but the only storehouse for its supplies.

Lest the colonists should multiply their flocks of sheep and weave their own cloth, they might not use a ship, nor a boat, nor a carriage, nor even a pack-horse, to carry wool, or any manufacture of which wool forms a part, across the line of one province to another. They could not land wool from the nearest islands, nor ferry it across a river, nor even ship it to England. A British sailor, finding himself in

want of clothes in their harbors, might not buy there more than forty shillings' worth of woollens.

1765. May. Where was there a house in the colonies that did not cherish and did not possess the English Bible? And yet to print that Bible in British America would have been a piracy; and the Bible, though printed in German and in a native savage dialect, was never printed there in English till the land became free.

That the country, which was the home of the beaver, might not manufacture its own hats, no man in the plantations could be a hatter or a journeyman at that trade, unless he had served an apprenticeship of seven years. No hatter might employ a negro or more than two apprentices. No American hat might be sent from one plantation to another, or be loaded upon any horse, cart, or carriage for conveyance.

America abounded in iron ores of the best quality, as well as in wood and coal; slitting-mills, steel furnaces, and plating forges, to work with a tilt hammer, were prohibited in the colonies as "nuisances."

While free labor was debarred of its natural rights, the slave-trade was encouraged with unrelenting eagerness; and in the year that had just expired, from Liverpool alone, seventy-nine ships had borne from Africa to the West Indies and the continent more than fifteen thousand three hundred negroes, two thirds as many as the first colonists of Massachusetts.

And now taxation, direct and indirect, was added to colonial restrictions; and henceforward both were to go together. A duty was to be collected on foreign sugar, molasses, indigo, coffee, Madeira wine, imported directly into any of the plantations in America; also a duty on Portugal and Spanish wines, on eastern silks, on eastern calicoes, on foreign linen cloth, on French lawn, though imported directly from Great Britain; on British colonial coffee shipped from one plantation to another. Nor was henceforward any part of the old subsidy to be drawn back on the export of foreign goods of Europe or the East Indies, except on the export of white calicoes and muslins, on which

a still higher duty was to be exacted and retained. And stamp duties were to be paid throughout all the British American colonies, on and after the first day of the coming November.

These laws were to be enforced, not by the regular authorities only, but by naval and military officers, irresponsible to the civil power in the colonies. The penalties and forfeitures for breach of the revenue laws were to be decided in courts of vice-admiralty, without the interposition of a jury, by a single judge, who had no support whatever but from his share in the profits of his own condemnations. 1765. May.

It was held that the power of parliament, according to the purest whig principles, was established alike over the king and over the colonies; but, in truth, the stamp act was the harbinger of American independence, and the knell of the unreformed house of commons.

CHAPTER XIII.

THE DAY-STAR OF THE AMERICAN UNION.

APRIL—MAY, 1765.

IF the British parliament can tax America, it may tax Ireland and India, and hold the wealth of the east and of the west at the service of its own septennial oligarchy. As the relation of the government to its outlying dominions would become one of power and not of right, it could not but employ its accumulated resources to make itself the master of the ocean and the oppressor of mankind. "This system, if it is suffered to prevail," said Oxenbridge Thacher, of Boston, "will extinguish the flame of liberty all over the world."

1765. April.

On the discovery of the new hemisphere, the tradition was spread through the old that it conceals a fountain whose waters have power to restore age to its prime. The tradition was true; but the youth to be renewed was the youth of society; the life to bloom afresh was the life of the race. Freedom, thy brow,

Glorious in beauty though it be, is scarred
With tokens of old wars; thy massive limbs
Are strong with struggling. Power at thee has launched
His bolts, and with his lightnings smitten thee;
They could not quench the life thou hast from heaven.

Here, in the western world, the ancient warrior, "twin-born with man," counselled by the ripened wisdom of thousands of years, will renovate his being, and guide the people of every tongue through the self-direction of the individual mind to the harmonious exercise of the collective reason of the state.

Massachusetts had been led to rely on the inviolability of

English freedom and on the equity of parliament; and, when the blow fell, which, though visibly foreshown, had not been certainly expected, "the people looked upon their liberties as gone." "Tears," said Otis, "relieve me a moment;" and, repelling the imputation "that the continent of America was about to become insurgent," "it is the duty of all," he added, "humbly and silently to acquiesce in all the decisions of the supreme legislature. Nine hundred and ninety-nine in a thousand of the colonists will never once entertain a thought but of submission to our sovereign, and to the authority of parliament in all possible contingencies." "They undoubtedly have the right to levy internal taxes on the colonies." "From my soul, I detest and abhor the thought of making a question of jurisdiction." 1765. May.

On learning the decision of parliament, Hutchinson made haste to say that "it could be to no purpose to claim a right of exemption, when the whole body of the people of England were against it." He was only "waiting to know what more parliament would do towards raising the sums which the colonies were to pay," and which as yet were not half provided for. As chief justice, he charged "the jurors and people" of the several counties to obey. Nor did the result seem doubtful. There could be no danger but from union; and "no two colonies," said he, "think alike; there is no uniformity of measures; the bundle of sticks thus separated will be easily broken." "The stamp act," he assured the ministry, five weeks after the news of its passage, "is received among us with as much decency as could be expected; it leaves no room for evasion, and will execute itself."

In Boston, the annual election of representatives in May excited the passions of the people. Men called to mind the noble sentiments which had been interwoven into the body of the remonstrances of New York. They were embittered at the thought that their legislature had been cajoled by Hutchinson into forbearing to claim exemption from taxation as a right; and that yet their prayer had been suppressed by the ministry with impartial disdain. While the

patriots, on the one side, censured the fatal acquiescence of Otis, as a surrender of their liberties, the friends of government jeered at his strange moods, and called him a Massaniello and a madman. In the gloom that was thickening around him, he repelled the insult with scorn. "The divine Brutus," said he, "once wore the cloak of a fool and a madman; the only cloak a man of true honor and spirit condescends to put on." And to merited reproaches he answered like one who could find no consolation: "Tell me, my once dear friends, what I have got by all this, besides the curse causeless of thousands, for whose welfare my heart has bled yearly, and is now ready to burst? Were it lawful to get at the cause of all your calamities, I would leap like the roe to purchase your ransom with my life or his."

The town of Boston remained faithful to the most genial of its patriots, and showed him honor, so long as he retained enough of the light of reason to be sensible of its support.

Opinion was fermenting at the north, but as yet without a declared purpose in action. Virginia received the stamp act with consternation. At first the planters foreboded universal ruin; but soon they resolved that the act should recoil on England: articles of luxury of English manufacture were banished; and thread-bare coats came into fashion. A large provincial debt enforced the policy of thrift. The legislature of Virginia was then assembled; and the electors of Louisa county had just filled a vacancy in their representation by making choice of Patrick Henry. He had resided among them scarcely a year, but his benignity of temper, pure life, and simple habits had already won their love. Devoted to their interest, he never flattered the people, and was never forsaken by them. As he took his place, not yet acquainted with the forms of business in the house or with its members, he saw the time for the enforcement of the stamp-tax drawing near, while all the other colonies, through timid hesitation or the want of opportunity, remained silent, and cautious loyalty hushed the experienced statesmen of his own. More than half the assembly had made the approaching close of the session an excuse for returning home; but Patrick Henry disdained submission.

1765. May.

Alone, a burgess of but a few days, unadvised and unassisted, in an auspicious moment, of which the recollection cheered him to his latest day, he came forward in the committee of the whole house; and while Thomas Jefferson, a young collegian, from the mountain frontier, stood outside of the closed hall, eager to catch the first tidings of resistance, and George Washington, as is believed, was in his place as a member, he maintained by resolutions that the inhabitants of Virginia inherited from the first adventurers and settlers of that dominion equal franchises with the people of Great Britain; that royal charters had declared this equality; that taxation by themselves, or by persons chosen by themselves to represent them, was the distinguishing characteristic of British freedom and of the constitution; that the people of that most ancient colony had uninterruptedly enjoyed the right of being thus governed by their own laws respecting their internal polity and taxation; that this right had never been forfeited, nor in any other way given up, but had been constantly recognised by the king and people of Great Britain. 1765. May.

It followed from these resolutions, and Patrick Henry so expressed it in a fifth supplementary one, that the general assembly of the whole colony have the sole right and power to lay taxes on the inhabitants of the colony, and that any attempt to vest such power in any other persons whatever tended to destroy British as well as American freedom. It was still further set forth, yet not by Henry, in two resolutions, which, though they were not officially produced, equally imbodied the mind of the younger part of the assembly, that the inhabitants of Virginia were not bound to yield obedience to any law designed to impose taxation upon them other than the laws of their own general assembly; and that any one who should, either by speaking or writing, maintain the contrary, should be deemed an enemy to the colony.

A stormy debate arose, and many threats were uttered. Robinson, the speaker, already a defaulter, Peyton Randolph, the king's attorney, and the frank, honest, and independent George Wythe, a lover of classic learning, accustomed

to guide the house by his strong understanding and single-minded integrity, exerted all their powers to moderate the tone of "the hot and virulent resolutions;" while John Randolph, the best lawyer in the colony, "singly" resisted the whole proceeding. But, on the other side, George Johnston, of Fairfax, reasoned with solidity and firmness; and Henry flamed with impassioned zeal. Lifted beyond himself, "Tarquin," he cried, "and Cæsar, had each his Brutus; Charles I., his Cromwell; and George III." — "Treason!" shouted the speaker; "treason! treason!" was echoed round the house; while Henry, fixing his eye on the first interrupter, continued without faltering, "may profit by their example!"

Swayed by his words, the committee of the whole showed its good-will to the spirit of all the resolutions enumerated; but the five offered by Patrick Henry were alone reported to the house; and on Thursday, the thirtieth of May, having been adopted by small majorities, the fifth by a vote of twenty to nineteen, they became a part of the public record. "I would have given five hundred guineas for a single vote," exclaimed the attorney-general aloud, as he came out past Jefferson. But Henry "carried all the young members with him." That night, thinking his work done, he rode home; but the next day, in his absence, an attempt was made to strike all the resolutions off the journals, and the fifth, and the fifth only, was blotted out. The lieutenant-governor, though he did not believe new elections would fall on what he esteemed cool, reasonable men, dissolved the assembly; but the four resolutions which remained on the journals, and the two others on which no vote had been taken, were published in the newspapers throughout America, as the avowed sentiment of the Old Dominion.

1765. May.

This is the "way the fire began." "Virginia rang the alarum bell for the continent."

At the opening of the legislature of Massachusetts, Oliver, who had been appointed stamp distributor, was, on the joint ballot of both branches, re-elected councillor by a majority of but three out of about one hundred and twenty votes. More than half the representatives voted against him.

On the day on which the resolves of Virginia were adopted, and just as the speech of Barré acquainted all the people that within parliament itself they had been hailed as the "Sons of Liberty," a message from Governor Bernard informed the new legislature of Massachusetts that "the general settlement of the American provinces, though it might necessarily produce some regulations disagreeable from their novelty, had been long ago proposed, and would now be prosecuted to its utmost completion; that submission to the decrees of the supreme legislature, to which all other powers in the British empire were subordinate, was the duty and the interest of the colonies; that this supreme legislature, the parliament of Great Britain, was happily the sanctuary of liberty and justice; and that the prince who presided over it realized the idea of a patriot king." 1765. May.

Contrary to usage, the house made no reply; but, on the sixth of June, James Otis, of Boston, advised the calling of an American congress, which should consist of committees from each of the thirteen colonies, to be appointed respectively by the delegates of the people, without regard to the other branches of the legislature. Such an assembly had never existed; and the purpose of deliberating upon the acts of parliament was equally novel. The tories sneered at the proposal as visionary and impracticable; Grenville himself had circulated through the colonies the opinion that, "from jealousy of neighborhood and clashing interests, they could never form a dangerous alliance among themselves;" but the representatives of Massachusetts shared the creative instinct of Otis. Avoiding every expression of a final judgment, and insuring unanimity by even refusing to consider the question of their exclusive right to originate measures of internal taxation, they sent letters to every assembly on the continent, proposing that committees of the several assemblies should meet at New York, on the first Tuesday of the following October, "to consult together," and "consider of a united representation to implore relief." They also elected Otis and two others of their own members to repair to New York accordingly.

At the same time, the province increased its strength

by perseverance in appropriating annually fifty thousand pounds towards discharging its debt; and so good was its credit, and so affluent its people, that the interest on the remaining debt was reduced from six to five per cent by a public subscription among themselves.

1765. May.

Before the proceedings in Virginia and Massachusetts were known in New York, where the reprint of the stamp act was hawked about the streets as the "folly of England and the ruin of America," a freeman of that town, discussing the policy of Grenville, and the arguments on which it rested, demonstrated that they were leading alike to the reform of the British parliament and the independence of America.

"It is not the tax," said he, "it is the unconstitutional manner of imposing it, that is the great subject of uneasiness to the colonies. The minister admitted in parliament that they had in the fullest sense the right to be taxed only by their own consent, given by their representatives; and grounds his pretence of the right to tax them entirely upon this, that they are virtually represented in parliament.

"It is said that they are in the same situation as the inhabitants of Leeds, Halifax, Birmingham, Manchester, and several other corporate towns; and that the right of electing does not comprehend above one tenth part of the people of England.

"And in this land of liberty, for so it WAS our glory to call it, are there really men so insensible to shame as before the awful tribunal of reason to mention the hardships which, through their practices, some places in England are obliged to bear without redress, as precedents for imposing still greater hardships and wrongs upon America?

"It has long been the complaint of the most judicious in England, as the greatest misfortune to the nation, that its people are so unequally represented. Time and change of circumstances have occasioned defects in the rules or forms of choosing representatives for parliament. Some large towns send none to represent them; while several insignificant places, of only a few indigent persons, whose chief support is the sale of their votes, send many members.

Seats are purchased with the nation's money; and a corrupt administration, by bribing others with places and pensions, can command a majority in the house of commons that will pass what laws they please. These evils are too notorious to escape general observation, and too atrocious to be palliated. Why are not these crying grievances redressed? Only because they afford the greatest opportunities for bribery and corruption. 1765. May.

"The fundamental principle of the English constitution is reason and natural right. It has within itself the principle of self-preservation, correction, and improvement. That there are several towns, corporations, and bodies of people in England in similar circumstances as the colonies, shows that some of the people in England, as well as those in America, are injured and oppressed, but shows no sort of right for the oppression. Those places ought to join with the Americans in remonstrances to obtain redress of grievances.

"The absurdity of our being represented in parliament is so glaring that it is almost an affront to common sense to use arguments to expose it; and yet it has been so much insisted upon that it seems as if the free use of common sense was to be prohibited as well as our other common rights.

"But the cases in England, cited to justify the taxation of America, are in no way similar. The taxation of America is arbitrary and tyrannical, and what the parliament of England have no right to impose. The colonies are not only unconnected in interest with any members of parliament, but, in many respects, entirely opposite; indeed, I believe, in all respects where their affairs would come before that house; for when has it meddled with any matter relating to them, except to lay some imposition upon them?

"As to the towns in England which send no members to parliament, there are many persons in parliament deeply interested in them; all the counties where they stand do send members; and many of their inhabitants are voters for the county members. As to the moneyed interest, there are in the house a sufficient number of those who have

considerable property in money to take due care of that interest. Those persons who have no votes have yet the opportunity of influence in elections. Nor is it difficult for any man of fortune to procure a right of voting. So that the mention of these cases, as parallel with that of the colonies, is wonderfully trifling and impertinent.

1765. May.

"Our adherence to the English constitution is on account of its real excellence. It is not the mere name of English rights that can satisfy us. It is the reality that we claim as our inheritance, and would defend with our lives. Can any man be represented without his own consent? Where is the advantage of it, if persons are appointed to represent us without our choice? Would not our greatest enemies be the most likely to endeavor to be chosen for that office? Could such a right of representation be ever desired by any reasonable man? Is English liberty such a chimera as this?

"The great fundamental principles of a government should be common to all its parts and members, else the whole will be endangered. If, then, the interest of the mother country and her colonies cannot be made to coincide, if the same constitution may not take place in both, if the welfare of the mother country necessarily requires a sacrifice of the most valuable natural rights of the colonies, — their right of making their own laws, and disposing of their own property by representatives of their own choosing, — if such is really the case between Great Britain and her colonies, then the connection between them ought to cease; and sooner or later it must inevitably cease. The English government cannot long act towards a part of its dominions upon principles diametrically opposed to its own, without losing itself in the slavery it would impose upon the colonies, or learning them to throw it off and assert their freedom.

"There never can be a disposition in the colonies to break off their connection with the mother country, so long as they are permitted to have the full enjoyment of those rights to which the English constitution entitles them. They desire no more; nor can they be satisfied with less."

These words imbodied the sober judgment of New York.

They were caught up by the impatient colonies; were reprinted in nearly all their newspapers; were approved of by their most learned and judicious statesmen; and even formed part of the instructions of South Carolina to its agent in England. 1765. May.

Thus revolution proceeded. Virginia marshalled resistance, Massachusetts entreated union, New York pointed to independence.

CHAPTER XIV.

SOUTH CAROLINA FOUNDS THE AMERICAN UNION.

JUNE—JULY, 1765.

THE summons for the congress had gone forth from Massachusetts, when the resolves of Virginia were published to the world. "They have spoken treason," said the royalists. "Is it treason," retorted others, "for the deputies of the people to assert their rights, or to give them away?" "Oh! those Virginians," cried Oxenbridge Thacher, from his death-bed, where, overplied by public exertions, he was wasting away with a hectic, "those Virginians are men; they are noble spirits. I long to speak in court against tyranny words that shall be read after my death." "Why," said one of his friends, "are not our rights and liberties as boldly asserted by every government in America as by Virginia?" "Behold," cried another, "a whole continent awakened, alarmed, restless, and disaffected." Everywhere, from north to south, through the press, in letters, or as they met in private for counsel or in groups in the street, the "Sons of Liberty" told their griefs to one another, and planned retaliation or redress.

1765. June.

"No good reason can be given," observed the more calm among them, "why the colonies should not modestly and soberly inquire what right the parliament of Great Britain has to tax them." "We were not sent out to be slaves," they continued, citing the example of ancient Greece and the words of Thucydides; "we are the equals of those who remained behind. Americans hold equal rights with those in Britain, not as conceded privileges, but inherent and indefeasible." "We have the rights of Englishmen," was the common voice, "and as such we are to be ruled by

laws of our own making, and tried by men of our own condition."

"If we are Englishmen," said one, "on what footing is our property?" "The great Mr. Locke," said another, "lays it down that no man has a right to that which another may take from him;" and a third, proud of his respect for the law, sheltered himself under the words of the far-famed Coke: "The lord may tax his villein, high or low; but it is against the franchises of the land for freemen to be taxed but by their own consent in parliament." "If the people in America are to be taxed by the representatives of the people in England, their malady," said Hopkins, of Rhode Island, "is an increasing evil, that must always grow greater by time." "When the parliament once begins," such was the discourse at Boston, "there is no drawing a line." "And it is only the first step," repeated the New York owners of large estates; "a land-tax for all America will be thought of next." 1765. June.

"It is plain," said even the calmest, "Englishmen do not regard Americans as members of the same family, brothers, and equals, but as subordinates, bound to submit to oppression at their pleasure." "A bill was even prepared," thus men warned each other against new dangers, "that authorized quartering British soldiers upon American private families." "And is not our property seized," they further exclaimed, "by men who cry, 'give, give,' and never say, 'enough,' and thrown into a prerogative court to be forfeited without a jury?"

"There is not silver enough in the colonies to pay for the stamps," computed patriot financiers, "and the trade by which we could get more is prohibited." "And yet," declared the merchants of New York, "we have a natural right to every freedom of trade of the English." "To tax us, and bind our commerce and restrain manufactures," reasoned even the most patient, "is to bid us make brick without straw." "The northern colonies will be absolutely restricted from using any articles of clothing of their own fabric," predicted one colony to another. And men laughed as they added: "Catching a mouse within his majesty's

colonies with a trap of our own making will be deemed, in the ministerial cant, an infamous, atrocious, and nefa-
1765. June. rious crime." "A colonist," murmured a Boston man, who had dipped into Grenville's pamphlet, "a colonist cannot make a horseshoe or a hobnail but some ironmonger of Britain shall bawl that he is robbed by the 'American republican.'" "Yes, they are even stupid enough," it was said in the town of Providence, "to judge it criminal for us to become our own manufacturers."

"We will eat no lamb," promised the multitude, seeking to retaliate; "we will wear no mourning at funerals." "We will none of us import British goods," said the traders in the towns. The inhabitants of North Carolina set up looms for weaving their own clothes, and South Carolina was ready to follow the example. "The people," wrote Lieutenant-governor Sharpe, of Maryland, "will go on upon manufactures." "We will have homespun markets of linens and woollens," passed from mouth to mouth, till it found its way across the Atlantic, and alarmed the king in council; "the ladies of the first fortune shall set the example of wearing homespun." "It will be accounted a virtue in them to wear a garment of their own spinning." "A little attention to manufactures will make us ample amends for the distresses of the present day, and render us a great, rich, and happy people."

When the churchmen of New York preached loyalty to the king as the Lord's anointed, "The people," retorted William Livingston, "are the Lord's anointed. Though named 'mob' and 'rabble,' the people are the darling of Providence." Was the Bible quoted as demanding deference to all in authority? "This," it was insisted, "is to add dulness to impiety." For "tyranny," they cried, "is no government; the gospel promises liberty, glorious liberty." "The gospel," so preached Mayhew, of Boston, "the gospel permits resistance."

And then patriots would become maddened with remembering that "some high or low American had had a hand in procuring every grievance." "England," it was said, "is deceived and deluded by place-men and office-

seekers." "Yes," exclaimed the multitude; "it all comes of the horse-leeches." When "the friends to government" sought to hush opposition by terror of parliament, "You are cowards," was the answer; "you are fools, parasites, or, rather, parricides." 1765. June.

"Power is a sad thing," wrote the Presbyterians of Philadelphia: "our mother should remember we are children, and not slaves." "When all Israel saw that the king hearkened not unto them," responded the Calvinists of the north, "the people answered the king, saying: 'What portion have we in David? what inheritance in the son of Jesse? To your tents, O Israel! Now see to thine own house, David!'" "Who cares," reasoned the more hardy, "whether George or Louis is the sovereign, if both are alike?" "The beast of burden," continued others, "asks not whose pack it carries." "I would bear allegiance to King George," said one who called himself a lover of truth, "but not be a slave to his British subjects."

"But the members of parliament," argued the royalists, "are men of wisdom and integrity, and incapable of dealing unjustly." "One who is bound to obey the will of another," retorted Hopkins, "is as really a slave, though he may have a good master, as if he had a bad one; and this is stronger in politic bodies than in natural ones."

"It is an insult on the most common understanding," thought James Habersham, of Georgia, and every American from the Savannah to Maine, "to talk of our being virtually represented in parliament." "It is an insult on common sense to say it," repeated the Presbyterian ministers of the middle states. "Are persons chosen for the representatives of London and Bristol in like manner chosen to be the representatives of Philadelphia or Boston? Have two men chosen to represent a poor English borough that has sold its votes to the highest bidder any pretence to say that they represent Virginia or Pennsylvania? And have four hundred such fellows a right to take our liberties?"

But it was argued again and again: "Manchester, Birmingham, and Sheffield, like America, return no members." "Why," rejoined Otis, and his answer won applause in

England, "why ring everlasting changes to the colonists on them? If they are not represented, they ought to be."

1765. June. "Every man of a sound mind," he continued, "should have his vote." "Ah, but," replied the royalists, holding Otis to his repeated concessions, "you own that parliament is the supreme legislature; will you question its jurisdiction?" And his answer was on the lips of all patriots, learned and unlearned: "Lord Coke declares that it is against Magna Charta and against the franchises of the land for freemen to be taxed but by their own consent; Lord Coke rules that an act of parliament against common law is void."

Thus opinion was echoed from mind to mind, as the sun's rays beam from many clouds, all differing in tints, but every one taking their hue from the same fires. In the midst of the gloom, light broke forth from the excitement of a whole people. Associations were formed in Virginia, as well as in New England, to resist the stamp act by all lawful means. Hope began to rise that American rights and liberties might safely be trusted "to the watchfulness of a united continent."

The insolence of the royal officers provoked to insulated acts of resistance. The people of Rhode Island, angry with the commander of a ship-of-war, who had boarded their vessels and impressed their seamen, seized his boat, and burned it on Newport common. Men of New England, "of a superior sort," had obtained of the government of New Hampshire a warrant for land down the western slope of the Green Mountains, on a branch of the Hoosic, twenty miles east of the Hudson River. They formed already a community of sixty-seven families, in as many houses, with an ordained minister, their own municipal officers, three several public schools, their meeting-house among the primeval forests of beech and maple; in a word, they enjoyed the flourishing state which springs from rural industry, intelligence, and piety. They called their village Bennington. The royal officers at New York disposed anew of that town, as well as of others near it, so that the king was known to the settlers near the Green Mountains chiefly by his agents, who

had knowingly sold his lands twice over. In this way, the soil of Bennington became a fit battle-ground for independence.

Events like these sowed the seeds of discontent; but there was no present relief for America, unless union could be perfected. Union was the hope of Otis; union that "should knit and work into the very blood and bones of the original system every region, as fast as settled." Yet how comprehensive and how daring the idea! The traditions of the board of trade branded it as "mutinous." Massachusetts had proceeded timidly, naming for its delegates to the proposed congress, with the patriot Otis, two others who were "friends to government."

Virginia was ready to convince the world that her people were firm and unanimous in the cause of liberty, but its newly elected assembly was not suffered by Fauquier to come together. New Jersey received the circular letter of Massachusetts on the twentieth of June, the last day of the session of its legislature. The speaker, a friend to the British government, at first inclined to urge sending delegates to the proposed congress; but, on some "advice" from the governor, changed his mind, and the house, in the hurry preceding the adjournment, rather from uncertainty than the want of good-will, unanimously declined the invitation. The assembly of New Hampshire seemed to approve, but did not adopt it. "Nothing will be done in consequence of this intended congress," wrote Bernard, in July; and he seized the opportunity to press "more and more" upon the government at home "the necessity of taking into their hands the appointment of the American civil list," as well as changing the council of the province. Even the liberal governor of Maryland reported "that the resentment of the colonists would probably die out; and that, in spite of the violent outcries of the lawyers, the stamp act would be carried into execution."

But, far away towards the lands of the sun, the assembly of South Carolina was in session; and, on the twenty-fifth of July, debated the circular from Massachusetts. Many objections were made to the legality, the 1765. July 25.

expediency, and most of all to the efficiency of the proposed measure; and many eloquent words were uttered, especially by the youthful John Rutledge, when the subject, on the deliberate resolve of a small majority, was referred to a committee, of which Gadsden was the chairman. He was a man of deep and clear convictions; thoroughly sincere; of an unbending will and a sturdy, impetuous integrity, which drove those about him, like a mountain torrent dashing on an over-shot wheel, though sometimes clogging with back water from its own violence. He possessed not only that courage which defies danger, but that persistence which neither peril nor imprisonment nor the threat of death can shake. Full of religious faith, and at the same time inquisitive and tolerant, methodical, yet lavish of his fortune for public ends, he had in his nature nothing vacillating or low, and knew not how to hesitate or feign. After two legislatures had held back, South Carolina, by "his achievement," pronounced for union. "Our state," he used to say, particularly attentive to the interest and feelings of America, was the first, though at the extreme end, and one of the weakest, as well internally as externally, to listen to the call of our northern brethren in their distresses. Massachusetts sounded the trumpet, but to Carolina is it owing that it was attended to. Had it not been for South Carolina, no congress would then have happened."

1762. July.

As the united American people spread through the vast expanse over which their jurisdiction now extends, be it remembered that the blessing of union is due to the warm-heartedness of South Carolina. "She was all alive, and felt at every pore." And when we count up those who, above others, contributed to the great result, we are to name the inspired "madman," James Otis, and the magnanimous, unwavering lover of his country, Christopher Gadsden.

Otis now seemed to himself to hear the prophetic song of the "Sibyls," chanting the spring-time of a "new empire."

CHAPTER XV.

THE DUKE OF CUMBERLAND FORMS A MINISTRY. THE ROCKINGHAM WHIGS.

JUNE—JULY, 1765.

WHILE America was giving force to its resistance by union, divisions that could not be healed planted confusion in the councils of its oppressors. We left the king quivering with wounded pride at the affront from his ministers; but, far from giving way, he thwarted their suggestions about appointments to office, frowned on those whom they promoted, and publicly showed regard to his friends whom they displaced. 1765. June.

Grenville, in apparently confident security, continued his schemes of colonial revenue, and by the fourteenth of June represented to the king "that the Canadians were subject to taxation by virtue of his prerogative." But the Duke of Bedford had already filled the palace with more rankling cares. On the twelfth of June, being resolved once more on an explanation, the plain-spoken man recapitulated to his sovereign what had passed between him and his ministers on their resuming their functions, when he had promised them his countenance and support. "Has this promise," he demanded, "been kept? On the contrary, are not almost all our bitter enemies countenanced in public? Has not the Earl of Bute, as the favorite, interfered, at least indirectly, in public councils, with the utmost hazard to himself and risk to the king's quiet and the safety of the public? I hope your majesty will be pleased to give your countenance to your ministers, and for the future let your support and your authority go together; or else that you will give your authority where you are pleased to give your favor."

The king, who was resolved to interpret the discourse of Bedford as a resignation, though the colleagues of the duke were by no means disposed to push matters so far as to provoke their dismissal, again appealed to Cumberland, and through him summoned Pitt to an audience. On the
1765. June 19. nineteenth, in an interview which continued for three hours, Pitt declared himself against the measures that had been adopted to restrain the American colonies from trade with the Spanish islands, and against the taxation of the colonies by act of parliament, which nothing but extreme illness had prevented him from opposing in the house of commons, and of which his mind foreboded the fatal consequences. The discussion was renewed on
June 22. the twenty-second, when, having obtained satisfaction as to measures and as to men, he entered most heartily upon the work of forming an administration. On receiving the news by an express from Pitt, Temple privately communicated its substance to Grenville, and with a predetermined mind repaired on Monday to Pitt at Hayes. The two statesmen were at variance on no important measure except the stamp act. On that there arose an irreconcilable antagonism of opinion, which was to divide them for the rest of their lives. Temple refused to take office. Pitt was alike surprised, wounded, and embarrassed. Lord Temple was his brother-in-law; had, in the time of his retiring from the office of paymaster, helped him with his purse; had twice gone into a ministry with him; and twice faithfully retired with him. The long discussion that ensued deeply affected both; but Temple inflexibly resisted Pitt's judgment and most earnest remonstrance; he would not consent to supplant the brother whose present measures he applauded, and with whom he had just been reconciled. Pitt felt himself disabled by this refusal; as they parted, he said pathetically, in the words of a Roman poet: "You, brother, bring ruin on me and on yourself, and on the people and the peers and your country."

After the interview, Temple appeared "under great agitation;" and was still "nervous and trembling" when, on the twenty-second, he went in to the king, and declined

"entering his service in any office." "I am afraid," he added, — and it was the king himself who repeated the remark, — "I foresee more misfortunes in your majesty's reign than in any former period of history." Deserted in this wise by the connection in whom he had trusted, Pitt repaired to the king, who accepted his excuses, and "parted from him very civilly." Thus passed what seemed to him the most difficult and painful crisis of his life. "All is now over with me," said he, despondingly, "and by a fatality I did not expect;" with grief and disappointment in his heart, he retired into Somersetshire.

"Let us see," said the ministers, "if the Duke of Cumberland will be desperate enough to form an administration without Pitt and Temple." Northington assured them that they might remain in office, if they chose. The most wary gave in their adhesion; even Charles Yorke went to Grenville and declared his support, and Gilbert Elliott did the like. "Our cause is in your hands," said the Bedfords to Grenville, "and you will do it justice." This was the moment of his greatest pride and political importance; he was at the head of the treasury; he had defeated his sovereign's efforts to change the ministry; he was looked up to and owned by the Bedfords as their savior and protector. His ambition, his vanity, and his self-will were gratified.

The king had been complaining in strong terms of the little business done, and especially of "the neglect of the colonies and new conquests;" and the indefatigable Grenville applied himself earnestly to American measures. Bishops were to be engrafted on a plan which he favored for an ecclesiastical establishment in Canada. On the fourth of July, he proposed a reform in the courts of admiralty; in the following days, he, with Lord North, settled the emoluments of the officers charged with carrying into execution the American stamp act; made an enumeration of the several districts for inspection; provided for supplying vacant places among the stamp distributors; and on the ninth, his last day in office, consulted about removing incidental objections to the measure, in which he gloried as his own.

1765. July.

Meantime, Cumberland had succeeded in forming an administration out of the remnants of the old whig aristocracy and their successors; and, on the tenth, Grenville was summoned to St. James's to surrender the seals of his office.

1765. July. "I beseech your majesty," he said, "as you value your own safety, not to suffer any one to advise you to separate or draw the line between your British and American dominions. Your colonies are the richest jewel of your crown. If any man should venture to defeat the regulations laid down for the colonies, by a slackness in the execution, I shall look upon him as a criminal and the betrayer of his country."

The conditions on which the new ministry came into power were agreed upon at the house of the Duke of Newcastle, and did not extend beyond the disposal of offices. They introduced no projects of reform; they gave no pledges in behalf of liberty, except such as might be found in the traditions of their party and their own personal characters. The old Duke of Newcastle was the type of the administration, though he took only the post of privy seal, with the patronage of the church. The law adviser of its choice, as attorney-general, was Charles Yorke, whose opinions coincided with those of Mansfield. Its mediator with the king was the Duke of Cumberland, who had a seat in the cabinet as its protector.

The post of head of the treasury was assigned to the Marquis of Rockingham. He was an inexperienced man of five-and-thirty, possessing no great natural abilities, of a feeble constitution, and a nervous timidity which made him almost incapable of speaking in public; acquainted with race-courses, and the pedigree of horses; unskilled in the finances of his country, and never before proposed for high office. But he had clear and sagacious sense and good feeling, unshaken fortitude, integrity, kindness of nature, and an honest and hearty attachment to moderated liberty. His virtues were his arts, and they were his talents also. Had he been untitled and less opulent, he never would have been heard of; but, being high in rank, of vast wealth, and generous without wastefulness, he was selected, at the moment

when the power of the oligarchy was passing its culmination, to lead its more liberal branch; and such was his own ambition of being first in place, such his sincerity, such his fidelity to his political connections, that from this time till the day of his death he remained their standard-bearer. 1765. July.

His deficiencies in knowledge and in rhetoric, the minister compensated by selecting as his secretary and intimate friend Edmund Burke, who had recently left the service of one of the opposite party, and renounced a pension bestowed by Halifax. It was characteristic of that period for a man like Rockingham to hold for life a retainer like Edmund Burke; and never did a true-hearted, kindly, and generous patron find one more faithful. He brought to his employer, and gave up to his party, all that he had: boundless stores of knowledge, especially respecting the colonies; wit, philosophy, imagination, gorgeous eloquence, unwearied industry, mastery of the English tongue; and, as some think, the most accomplished intellect which the nation had produced for centuries. His ambition was fervid, yet content with the applause of the aristocracy. His political training had brought him in contact with the board of trade, and afterwards with the government of Ireland, the country of his birth. His writings are a brilliant picture of the British constitution, as it existed in the best days of the eighteenth century; and his genius threw lustre over the decline of the party which he served. No man had a better heart, or more thoroughly hated oppression; but he possessed neither experience in affairs, nor tranquil judgment, nor the rule over his own spirit: so that his genius, under the impulse of bewildering passions, wrought much evil to his country and to Europe, even while he rendered noble service to the cause of commercial freedom, to Ireland, and to America.

The seals of the northern department of state were conferred on the Duke of Grafton, a young man of respectable abilities, yet impaired by fondness for pleasure, a ready speaker, honest and upright, naturally inclining to the liberal side. He had little sagacity, but he meant well; and, in after years, preferred himself to record and to ex-

plain his errors of judgment rather than to leave in doubt the sincerity of his character. This is he to whom the poet Gray, in verses splendid but not venal, flung praise as to one who kept the steady course of honor on the wild waves of public life. In his college vacations, he had seen Pitt at Stowe, and been fascinated by his powers; he took office in the hope that the ministry might adopt the great commoner as its chief.

1765. July.

Conway, who had been arbitrarily dismissed from military office, was suggested as Grafton's associate. But "thinking men foresaw" peril to the stamp act, in "intrusting its execution to one of the very few persons who had opposed the passing of it;" and the king wished to consign that office to Charles Townshend, by whom it had so long been coveted. Who can tell how America would have fared under him, in an administration whose patron and adviser was the victor at Culloden? But though the king, in person, used every argument to prevail with him, yet he declined to join in a system which he compared to "lutestring, fit only for summer wear." Even so late as on the ninth of July, the king, who had reserved the place of secretary at war for Conway, renewed his entreaties; but the persistent refusal of Townshend, who held fast to his lucrative office of paymaster, threw the seals of the southern department and America, at the very last moment, into the hands of Conway.

The new secretary, like Shelburne and Edmund Burke, was an Irishman, and therefore disposed to have "very just notions" of the colonies. His temper was mild and moderate; in his inquiries he was reasonable and accurate; and it was his desire to unite both countries in affection as well as interest. But he was diffident and hesitating. He seemed to be inflexibly proud, and was not firm; to be candid, and was only scrupulous. His honesty, instead of nerving his will, kept him for ever a skeptic. He would in battle walk up to the cannon's mouth with imperturbable courage; but, in the cabinet, his mind was in a perpetual seesaw, balancing arguments, and never reaching fixed conclusions, unless his sense of honor was touched, or his gentle disposition was

invigorated by his humanity. The necessity of immediate action was sure to find him still wavering. He was so fond of doing right that the time for doing it passed before he could settle what it was; and the man who was now appointed to guide the mind of the house of commons, never could make up his own.

The ministry would have restored Shelburne to the presidency of the board of trade; but he excused himself, because Rockingham, on taking office, had given no pledges but as to "men." "Measures, not men, will be the rule of my conduct," said Shelburne, in concurrence with Pitt; and thus the two branches of the liberal aristocracy gained their watchwords. The one was bound to provide for its connection, the other to promote reform. There could be no progress of liberty in England but from the union of the aristocratic power of the one with the popular principle of the other. The refusal of Shelburne left the important office to the young and inexperienced Earl of Dartmouth, whom the poet Cowper described as "the one who wears a coronet and prays." 1765. July.

A peerage was conferred on Pratt, who took the name of Camden; though Rockingham was averse to his advancement. But it was through Rockingham himself that Lord George Sackville, who had been degraded while Pitt was minister, was restored to a seat at the council board, and raised to one of the lucrative vice-treasurerships of Ireland.

Thus was an administration, whose policy had been sanctioned by large and increasing majorities in parliament, and by the most cordial approbation of the king, avowedly turned out, to gratify his personal disgust at its exercising its constitutional right to control him in the use of the court favor. The new cabinet did not include one man of commanding ability, nor had it a single measure to propose to the crown, to the nation, or to the colonies; and, in parliament, its want of debating talent stamped its character with weakness. Grenville sullenly predicted that every day would produce difficulties in the colonies and with foreign powers.

"Within the last twelve years," wrote Voltaire at that

time, "there has been a marked revolution in the public mind. Light is certainly spreading on all sides." George III., without intending it, promoted the revolution which Voltaire anxiously awaited, and hastened results affecting America and the world, of which neither of the two had any preconception.

1765. July.

The new ministry did not enter upon their career with the purpose of repealing or changing the stamp act. Many of those whose support was essential to them, among others Northington, who remained in the cabinet as chancellor, Yorke, and Charles Townshend, were among its earliest and most strenuous supporters; and the Duke of Cumberland was the last man in England to temporize with what he might think to be rebellion. The agents of the colonies, seeing among the ministry some who had been their friends, took courage to solicit relief; but for many weeks Franklin admitted no hope of success. An order in council, sanctioned by the name and apparently by the advice of Lord Dartmouth, — perhaps the worst order ever proposed by the board of trade, so bad that it was explained away by the crown lawyers as impossible to have been intended, — permitted appeals to the privy council from any verdict given by any jury in the courts of New York; while the treasury board, with Rockingham at its head, directed the attorney and solicitor general to prepare instruments for collecting in Canada, by the king's authority, the same revenue which had been collected there under the government of Louis XV.; and, without any apparent misgiving, proceeded to complete the arrangements for executing the stamp act.

CHAPTER XVI.

HOW THE STAMP OFFICERS WERE HANDLED IN AMERICA. ADMINISTRATION OF ROCKINGHAM.

AUGUST—SEPTEMBER, 1765.

SIX weeks and more before the change of ministry was known in Boston, and while the passions of the public mind throughout the continent were still rising, Jared Ingersoll, of Connecticut, late agent for that province, now its stamp-master, arrived there from England; and the names of the stamp distributors were published on the eighth of August. The craftily devised policy of employing Americans failed from the beginning. "It will be as in the West Indies," clamored the people; "there the negro overseers are the most cruel." 1765. Aug.

"Had you not rather," said a friend of Ingersoll, "these duties should be collected by your brethren than by foreigners?" "No, vile miscreant! indeed we had not," answered Dagget, of New Haven. "If your father must die, is there no defect in filial duty in becoming his executioner, that the hangman's part of the estate may be retained in the family? If the ruin of your country is decreed, are you free from blame for taking part in the plunder?" "North American Liberty is dead," wrote another, "but happily she has left one son, the child of her bosom, prophetically named Independence, now the hope of all when he shall come of age." But why wait? asked the impatient. "Why should any stamp officers be allowed in America at all?" "I am clear in this point," declared Mayhew, "that no people are under a religious obligation to be slaves, if they are able to set themselves at liberty."

"The stamp act," it was said universally in Boston, "is

arbitrary, unconstitutional, and a breach of charter. Let it be of short duration. There are two hundred thousand inhabitants in this province, and by computation about two millions in America. It is too late for us to be dragooned out of our rights. We may refuse submission, or at least the stamp officers will be afraid to stab their country." If every one of them could be forced to resign, the statute which was to execute itself would perish from the beginning. Spontaneously the decree seemed to go forth that Boston should lead the way in the work of compulsion.

It was already known there that the king, desirous of changing his ministry, had sent for William Pitt; and the crowd that kindled the bonfire in King Street on the birthday of the Prince of Wales rent the air with "God bless our true British king! Heaven preserve the Prince of Wales! Pitt and liberty for ever!" And high and low, rich and poor, joined in the chorus: "Pitt and liberty!"

1765. Aug. The daybreak of Wednesday, the fourteenth of August, saw the effigy of Oliver, the stamp distributor for Boston, tricked out with emblems of Bute and Grenville, swinging on the bough of an elm, the pride of the neighborhood, known as the Great Tree, standing near what was then the entrance to the town. The pageant had been secretly prepared by Boston mechanics, true born SONS OF LIBERTY: Benjamin Edes, the printer; Thomas Crafts, the painter; John Smith and Stephen Cleverly, the braziers; and the younger Avery; Thomas Chase, a hater of kings; Henry Bass and Henry Welles. The passers-by stopped to gaze on the grotesque spectacle, and their report collected thousands. Hutchinson, as chief justice, ordered the sheriff to remove the images. "We will take them down ourselves at evening," said the people.

Bernard summoned his council. "The country, whatever may be the consequence," said some of them, "will never submit to the execution of the stamp act." The majority spoke against interfering with the people. Bernard and Hutchinson were still engaged in impotent altercations with their advisers, when, just after dark, an "amazing" multitude, moving in the greatest order and following the

images borne on a bier, after passing down the main street, marched directly through the old state house and under the council-chamber itself, shouting at the top of their voices: "Liberty, property, and no stamps." 1765. Aug. Giving three huzzas of defiance, they next, in Kilby Street, demolished the frame of a building which they thought Oliver destined for a stamp office, and with the wooden trophies made a funeral pyre for his effigy in front of his house on Fort Hill.

"The stamp act shall not be executed here," exclaimed one who spoke the general sentiment. "Death to the man who offers a piece of stamped paper to sell!" cried others. "All the power of Great Britain," said a third, "shall not oblige us to submit to the stamp act." "We will die upon the place first," declared even the sober-minded. "We have sixty thousand fighting-men in this colony alone," wrote Mayhew. "And we will spend our last blood in the cause," repeated his townsmen.

Hutchinson directed the colonel of the militia to beat an alarm. "My drummers," said he, "are in the mob." With the sheriff, Hutchinson went up to disperse the crowd. "Stand by, my boys," cried a ringleader; "let no man give way;" and Hutchinson, as he fled, was obliged to run the gauntlet, not escaping without one or two blows. At eleven, the multitude repaired to the Province House, where Bernard lived, and after three cheers they dispersed quietly.

"We have a dismal prospect before us," said Hutchinson, the next morning, anticipating "tragical events in some of the colonies." "The people of Connecticut," reported one whose name is not given, "have threatened to hang their distributor on the first tree after he enters the colony." "If Oliver," wrote Bernard, with rueful gravity, "had been found last night, he would certainly have been murthered." "If he does not resign," thought many, "there will be another riot to-night, and his house will be pulled down about his ears." So the considerate self-seeker, seasonably in the day-time, "gave it under his own hand" that he would not serve as stamp officer; while Bernard, deserting his post as guardian of the public peace, hurried to

the castle, and did not cease trembling even within its walls. At night, a bonfire on Fort Hill celebrated the people's victory. Several hundred men were likewise gathered round the house of Hutchinson. "Let us but hear from his own mouth," said their leader, "that he is not in favor of the stamp act, and we will be easy;" but Hutchinson evaded a reply.

1765. Aug.

The governor, just before his retreat, ordered a proclamation for the discovery and arrest of the rioters. "If discovery were made," wrote Hutchinson, "it would not be possible to commit them." "The prisons," said Mayhew, "would not hold them many hours. In this town, and within twenty miles of it, ten thousand men would soon be collected together on such an occasion." And on the next Lord's Day but one, before a crowded audience, choosing as his text, "I would they were even cut off which trouble you; for, brethren, ye have been called unto liberty," he preached fervidly in behalf of civil and religious freedom. "I hope," said he, "no persons among ourselves have encouraged the bringing such a burden as the stamp act on the country."

The distrust of the people fell more and more upon Hutchinson. "He is a prerogative man," they cried. "He grasps at all the important offices in the state." "He himself holds four, and his relations six or seven more." "He wiped out of the petition of Massachusetts every spirited expression." "He prevailed to get a friend of Grenville made agent for the colony." "He had a principal hand in projecting the stamp act." "He advised Oliver against resigning." "He granted writs of assistance, which are no better than general warrants." "He took depositions against the merchants as smugglers."

Thus the rougher spirits wrought one another into a frenzy. At nightfall, on the twenty-sixth, a bonfire in front of the old state house collected a mixed crowd. They first burned all the records of the hated vice-admiralty court; next ravaged the house of the comptroller of the customs; and then, giving Hutchinson and his family barely time to escape, split open his doors with broad-axes, broke his

furniture, scattered his plate and ready money, his books and manuscripts, and at daybreak left his house a ruin.

The coming morning, the citizens of Boston, in town-meeting, expressed their "detestation of these violent proceedings," and pledged themselves to "suppress the like disorders for the future." "I had rather lose my hand," said Mayhew, "than encourage such outrages;" and Samuel Adams agreed with him. But they, and nearly all the townsmen, and the whole continent, applauded the proceedings of the fourteenth of August; and the elm, beneath which the people had on that day assembled, was solemnly named "the Tree of Liberty." 1765. Aug.

The officers of the crown were terror-stricken. The attorney-general did not dare to sleep in his own house, nor two nights together in the same place; and for ten days could not be found. Several persons, who thought themselves obnoxious, left their houses and removed their goods. Hutchinson fled to the castle, wretched from constant agitation of mind. His despair dates from that moment. He saw that England had placed itself towards the colonies in the dilemma that, "if parliament should make concessions, their authority would be lost; if they used external force, affection was alienated for ever."

"We are not bound to yield obedience," voted the freemen of Providence, repeating the resolves of Virginia. The patriots of Rhode Island, remembering the renowned founders of the colonies, thanked God that their pleasant homes in the western world abounded in the means of "defence." "That little turbulent colony," reported Gage, "raised their mob likewise." And on the twenty-eighth day of August, after destroying the house and furniture of one Howard, who had written, and of one Moffat, who had spoken in favor of the power of parliament to tax America, they gathered round the house of their stamp officer, and, after a parley, compelled him to resign.

At New York, the lieutenant-governor expressed a wish to the general for aid from the army. "You shall have as many troops as you shall demand, and can find quarters for," replied Gage; and he urged Colden to the exertion of

the civil power. "The public papers," he continued, "are crammed with treason, and the people excited to revolt." But, meantime, Macevers, the stamp officer of New York, resigned; "for," said he, "if I attempt to receive the stamps, my house will be pillaged." "Macevers is terrified," said Colden to a friend; "but I shall not be intimidated; and the stamps shall be delivered in proper time;" intending himself to appoint a stamp distributor.

1765. Sept. On the third of September, Coxe, the stamp officer for New Jersey, renounced his place.

On the previous night, a party of four or five hundred, at Annapolis, pulled down a house, which Zachariah Hood, the stamp-master for Maryland, was repairing, to be occupied, it was believed, for the sale of the stamps; and shaking with terror, yet not willing to part with the unpopular office, which had promised to be worth many hundreds a year, he fled from the colony to the fort of New York. The Maryland lawyers were of opinion that the stamp-tax must be declared invalid by the courts of Maryland, as a breach of chartered rights. One man published his card, refusing to pay taxes to which he had not consented. All resolved to burn the stamp paper, on its arrival in Annapolis; and the governor had no power to prevent it.

On the fifth, Bernard, at Boston, whose duty it was, after the resignation of Oliver, to take possession of the stamped papers that might arrive, set forth to a very full council that "he had no warrant whatsoever to unpack a bale of them or to order any one else to do so; and it could not be conceived that he should be so imprudent as to undertake the business."

On the ninth, a ship entered Boston, bringing news of the change of ministry, which created great joy and the sanguine expectation of the speedy repeal of the stamp act. George Meserve, the stamp distributor for New Hampshire, arriving in the same vessel, resigned his office before stepping on land; and, on his return to Portsmouth, repeated his resignation on the parade, in the presence of a great multitude.

Assured of the protection of Fitch, the governor of Con-

necticut, who at heart was a lukewarm royalist, Ingersoll sought to reason the people into forbearance. "The act," said he, "makes it your interest to buy the stamps. When I undertook the office, I meant a service to you." "Stop advertising your wares," he was answered, "till they arrive safe at market." "The two first letters of his name," said another, "are those of that traitor of old. It was decreed our Saviour should suffer; but was it better for Judas Iscariot to betray him, so that the price of his blood might be saved by his friends?" The multitude, surrounding his house, demanded if he would resign. "I know not," he replied, "if I have power to resign;" but he promised, if stamps came to him, to reship them, or leave his doors open to the people to do with them as they would. 1765. Sept.

New Haven, his own town, spoke out with authority in town-meeting. On Tuesday, the seventeenth, they elected as one of their representatives Roger Sherman, one of the great men of his time, a farmer's son, who had been educated at the common school, after the custom of New England, and, having begun life as a shoemaker, developed high capacity as a jurist and a statesman. They next, by public vote, "earnestly desired Ingersoll to resign his stamp office immediately." "I shall await," said Ingersoll, "to see how the general assembly is inclined." But the cautious people were anxious to save their representatives from a direct conflict with the British parliament, lest it should provoke the forfeiture of their charter; and already several hundreds of them, particularly three divisions from Norwich, from New London, and from Windham and adjacent towns, had come out on horseback, with eight days' provisions, resolved to scour the colony through, till their stamp officer should be unearthed and reckoned with.

To save his house from the peril of an attack, Ingersoll rode out from New Haven, in company with the governor, intending to place himself under the protection of the legislature, which was to convene on Thursday, at Hartford.

On Thursday morning, Ingersoll set forward alone. Two or three miles below Wethersfield, he met an advanced party of four or five; half a mile further, another of thirty;

and soon the main body of about five hundred men, farmers and freeholders, all bearing long and large staves, white from being freshly rinded, all on horseback, two abreast, preceded by three trumpeters, and led by two militia officers in full uniform. They opened and received him; and then, to the sound of trumpets, rode forward through the alluvial farms that grace the banks of the "lovely" Connecticut, till they came into Wethersfield. There in the broad main street, twenty rods wide, in the midst of neat dwelling-houses, and of a people that owned the soil and themselves held the plough, in the very heart of New England culture, where the old Puritan spirit, as it had existed among "the Best" in the days of Milton, had been preserved with the least admixture, the cavalcade halted, and bade their stamp-master resign. "Is it fair," said he, "that the counties of New London and Windham should dictate to all the rest of the colony?" "It don't signify to parley," they answered; "here are a great many people waiting, and you must resign." "I wait," said he, "to know the sense of the government." Entering a house with a committee, he sent word to the governor and assembly of his situation; and for three hours kept the people at bay by evasive proposals. "This delay," said several of the members, "is his artifice to wheedle the matter along till the assembly shall get ensnared in it." "I can keep the people off no longer," said the leader, coming up from below, with a crowd following in the passage. "It is time to submit," thought Ingersoll; and saying, "The cause is not worth dying for," he publicly resigned, making a written declaration that it was his own free act, without any equivocation or mental reservation. "Swear to it," said the crowd; but from that he excused himself. "Then," cried they, "shout, 'Liberty and property,' three times;" and, throwing his hat into the air, he shouted, "Liberty and property, liberty and property, liberty and property," on which the multitude gave three loud huzzas.

1765. Sept.

After dinner, a cavalcade, by this time numbering near one thousand men, escorted him along the road, studded with farm-houses, from Wethersfield into Hartford, and

dismounted within twenty yards of the hall where the assembly was sitting. The main body, led by Durkee, with their white cudgels in their hands, marched in ranks, four abreast, to the sound of trumpets, round the court-house, and formed a semicircle. Ingersoll then read the paper which he had signed within the hearing of the legislature. This was succeeded by the cry of "liberty and property," and three cheers; soon after which the people, than whom better men never "walked in glory behind the plough," having done their work thoroughly, rode home to their several villages. 1765. Sept.

There the Calvinist ministers nursed the flame of piety and of civil freedom. Of that venerable band, none did better service than the American-born Stephen Johnson, pastor of the first church of Lyme. "Bute, Bedford, and Grenville," said he to the people, "will be had in remembrance by Americans as an abomination, execration, and curse. These measures tend to a very fatal civil war; and France and Spain will make advantage of the crisis. If they are pursued, this people cannot bear it, till they have lost the memory of their dear fathers and their affection to their posterity. They will call to mind revolution principles, such as 'where there is a right, there is a remedy.' Their uneasiness is not the sudden heat of passion, from the novelty of the tax; but is the more deep rooted, the more attentively it is considered.

"The advocates for these measures seem to be counsellors of Rehoboam's stamp. Instead of hearing the cries and redressing the grievances of a most loyal and injured people, they are for adding burden upon burden, till they make the little finger of his present majesty a thousand times heavier than the loins of his good grandfather, and would bind all fast with a military chain. Such counsels ended in Israel in such a revolt and wide breach as could never be healed. That this may end in a similar event is not impossible to the providence of God, nor more improbable to Britons than five years ago this stamp-tax was to Americans."

CHAPTER XVII.

AMERICA REASONS AGAINST THE STAMP ACT. MINISTRY OF ROCKINGHAM CONTINUED.

SEPTEMBER, 1765.

DURING these acts of compulsory submission, and while Boston, in a full town-meeting, unanimously asked the pictures of Conway and Barré for Faneuil Hall, the lords of the treasury in England, Rockingham, Dowdeswell, and Lord John Cavendish being present, held meetings almost daily, to carry the stamp act into effect; they completed the lists of stamp officers; provided for the instant filling of vacancies that might result from death or neglect; signed warrants for the expense of preparing the American stamps; and enjoined the governor to superintend and assist their distribution. These minutes might have had their excuse in the principle that there existed no power to dispense with the law of the land; but Dartmouth, from the board of trade, adopting the worst measure of corruption, which Grenville had resisted, proposed to make the government of each province independent of its provincial legislature for its support.

1765. Sept.

Every thing implied confidence in the obedience of the colonies, yet the tide of opinion in America was swelling and becoming irresistible. Every colony was resolved to run all hazards rather than submit. When they were asked, "What will you do after the first of November?" "Do?" they replied, "do as we did before." "Will you violate the law of parliament?" "The stamp act," repeated every one over and over, "is against Magna Charta; and Lord Coke says an act of parliament against Magna Charta is for that reason void."

In a more solemn tone, the convictions and purposes of America found utterance through the press. John Adams, of Massachusetts, a fiery Protestant, claiming intellectual freedom as the birthright of man, at once didactic and impetuous, obeying the impulses of "a heart that burned for his country's welfare," summoned the whole experience of the human race, and human nature herself, to bear witness that, through the increase and diffusion of intelligence, the world was advancing towards the establishment of popular power. Full of hope, he set liberty and knowledge over against authority and ignorance; America over against Europe; the modern principle of popular freedom over against the middle age and its tyrannies; the New World over against the Old. 1765. Sept.

"The people," thus he continued, "the populace, as they are contemptuously called, have rights antecedent to all earthly government; rights that cannot be repealed or restrained by human laws; rights derived from the great Legislator of the universe." Tracing the gradual improvement of human society from the absolute monarchy of the earliest ages, and from the more recent tyrannies of the canon and the feudal law, he saw in the Reformation the uprising of the people, under the benign providence of God, against the confederacy of priestcraft and feudalism, of spiritual and temporal despotism.

"This great struggle," these are his words, "peopled America. Not religion alone, a love of universal liberty projected, conducted, and accomplished its settlement. After their arrival here, the Puritans formed their plan, both of ecclesiastical and civil government, in direct opposition to the canon and feudal systems. They demolished the whole system of diocesan episcopacy. To render the popular power in their new government as great and wise as their principles of theory, they endeavored to remove from it feudal inequalities, and establish a government of the state, more agreeable to the dignity of human nature than any they had seen in Europe.

"Convinced that nothing could preserve their posterity from the encroachments of the two systems of tyranny but

knowledge diffused through the whole people, they laid very early the foundations of colleges, and made provision by law that every town should be furnished with a grammar school. The education of all ranks of people was made the care and expense of the public, in a manner unknown to any other people, ancient or modern; so that a native American who cannot read and write is as rare an appearance as a comet or an earthquake.

1765. Sept.

"There seems to be a direct and formal design on foot in Great Britain to enslave all America. Be it remembered, Liberty must at all hazards be defended. Rulers are no more than attorneys, agents, and trustees for the people; and, if the trust is insidiously betrayed or wantonly trifled away, the people have a right to revoke the authority that they themselves have deputed, and to constitute abler and better agents. We have an indisputable right to demand our privileges against all the power and authority on earth.

"The true source of our sufferings has been our timidity. Let every order and degree among the people rouse their attention and animate their resolution. Let us study the law of nature, the spirit of the British constitution, the great examples of Greece and Rome, the conduct of our British ancestors, who have defended for us the inherent rights of mankind against kings and priests. Let us impress upon our souls the ends of our own more immediate forefathers in exchanging their native country for a wilderness. Let the pulpit delineate the noble rank man holds among the works of God. Let us hear that consenting to slavery is a sacrilegious breach of trust. Let the bar proclaim the rights delivered down from remote antiquity; not the grants of princes or parliaments, but original rights, coequal with prerogative and coeval with government, inherent and essential, established as preliminaries before a parliament existed, having their foundations in the constitution of the intellectual and moral world, in truth, liberty, justice, and benevolence. Let the colleges impress on the tender mind the beauty of liberty and virtue, and the deformity and turpitude of slavery and vice, and spread far and wide the ideas of right and the sensation of freedom. No one of

any feeling, born and educated in this happy country, can consider the usurpations that are meditating for all our countrymen and all their posterity, without the utmost agonies of heart and many tears." 1765. Sept.

These words expressed the genuine sentiments of New England; and extracts from them were promptly laid before the king in council. In Maryland, Daniel Dulany, an able lawyer, not surpassed in ability by any of the crown lawyers in the house of commons, "a patriot counsellor, inclined to serve the people," discussed the propriety of the stamp act not before America only, but seeking audience of England. He admitted that the colonies were subordinate to the supreme national council; that the British parliament had the unquestionable right to legislate on their trade; that trade may frequently be most properly regulated by duties on imports and exports; that parliament is itself to determine what regulations are most proper; and that, if they should produce an incidental revenue, they are not therefore unwarrantable.

But, in reply to the arguments of the crown lawyers and the ministerial defenders of the stamp act, he argued, with minute and elaborate learning, that the late regulations for the colonies were not just, because the commons of England, in which the Americans were neither actually nor virtually represented, had no right, by the common law or the British constitution, to give and grant the property of the commons in America; that they were rightfully void, as their validity rested only on the power of those who framed them to carry them into effect; that they were not lenient, the taxes imposed being excessive and unequal; that they were not politic, as Great Britain, by the acts of trade, already took all from the colonies, and could but drive them to observe the strictest maxims of frugality, and to establish manufactures of leather, cotton, wool, and flax; that they were not consistent with charters, which were the original compacts between the first emigrants to America and the crown; that they were against all precedents of the previous legislation of the British parliament; that they were equally against the precedents of legislation for Ireland, which was as sub-

ject to Great Britain as were the colonies; that they were against the judgment of former British ministers, whose requisitions for revenue were uniformly transmitted to the colonies to tax themselves.

"There may be a time," he added, "when redress may be obtained. Till then, I shall recommend a legal, orderly, and prudent resentment to be expressed in a zealous and vigorous industry. A garment of linsey-woolsey, when made the distinction of patriotism, is more honorable than the plumes and the diadem of an emperor without it. Let the manufacture of America be the symbol of dignity and the badge of virtue, and it will soon break the fetters of distress."

1765. Sept. Thus wrote Dulany, the champion of the day, pleading for the repeal of exemption from taxes imposed without consent; promoting repeal, but beating back revolution. His words were noticed by William Pitt in parliament with great honor; and they formed the groundwork of his own.

"This unconstitutional method of taxation," observed Washington, at Mount Vernon, of the stamp act, "is a direful attack upon the liberties of the colonies, will be a necessary incitement to industry, and for many cogent reasons will prove ineffectual. Our courts of judicature," he added, "must inevitably be shut up; and, if so, the merchants of Great Britain will not be among the last to wish for its repeal."

Enlightened by discussions, towns and legislatures, as opportunity offered, made their declaration of rights, following one another like a chime of bells.

In Georgia, the great majority of the representatives, at the instance of their speaker, against the will of the governor, came together on Monday, the second of September; and, though they doubted their power, at such a voluntary meeting, to elect delegates to the congress, they sent an express messenger to New York to promise their adhesion to its results; "for," said they, "no people, as individuals, can more warmly espouse the common cause than do the people of this province."

Further north, on the ninth, the assembly of Pennsylvania, disregarding the wishes of Galloway, its speaker, accepted the plan for a congress by a majority of one. 1765. Sept. At the same time, it recognised the indispensable duty to grant requisite aids cheerfully and liberally, but only in a constitutional way, through its own assembly.

Next in time, the assembly of Rhode Island not only joined the union, but unanimously directed all the officers of the colony to proceed in their duties as usual, without regard to the stamp act, and engaged to indemnify them and save them harmless.

In the same month, Delaware, by the spontaneous act of the representatives of each of its counties; Connecticut, with the calm approval of its assembly; Maryland, with the consent of every branch of its legislature, — successively elected delegates to the general American congress.

In Massachusetts, Boston, under the guidance of Samuel Adams, set the example to other towns, arraigned the stamp act and its courts of admiralty as contrary to the British constitution, to the charter of the province, to the common rights of mankind, and built "the warmest expectations" on the union of the colonies in congress. A week later, the town of Braintree, led by John Adams, declared "the most grievous innovation of all" to be "the extension of the power of courts of admiralty, in which one judge presided alone, and, without juries, decided the law and the fact; holding his office during the pleasure of the king, and establishing that most mischievous of all customs, the taking of commissions on all condemnations."

To the legislature which convened on the twenty-fifth, Bernard drew a frightful picture of the general outlawry and rising of the poor against the rich, which were to ensue, if stamps were not used; recommended to the assembly not to dispute "the right of the parliament of Great Britain to make laws for her American colonies," however they might deny the expediency of the late exercise of that power; and, shirking the responsibility of action, he put the "arduous business" of executing the stamp act into their hands, that it might become a provincial concern.

It was a matter of far greater moment that the town of Boston elect Samuel Adams their representative, in the place made vacant by the death of Thacher. On the morning on which the new member took his seat, he found the legislature adopting resolves that all courts should do business without stamps; on which Bernard, in a fright, prorogued it till nine days before the first of November.

1765. Sept.

The continent watched with the intensest anxiety the conduct of New York, the capital of the central province and head-quarters of the standing forces in America; having a septennial assembly, a royal council, ships-of-war anchored near its wharfs, and within the town itself a fort mounting many heavy cannon. There the authority of the British government was concentrated in the hands of Gage, the general, whose military powers, as ample as those of a viceroy, extended over all the colonies, but who was himself owned by the royalists to be wanting in "capacity." He was "extremely exasperated" at the course of events in Massachusetts, thought Bernard pusillanimous, and was at a loss what to do. At New York, he called upon the civil power to exert itself more efficiently. "All civil authority is at an end," answered Colden; "the presence of a battalion is the only way to prevent mischief." "It will be more safe for the government," interposed the council of the province of New York, "to show a confidence in the people." But Colden, emboldened by the arrival of two artillery companies from England, put the fort in a state of offence and defence, and boasted alike to Conway and Amherst that he had "effectually discouraged" sedition. "I will cram the stamps down the throats of the people with the end of my sword," cried the braggart James, major of artillery, as he busied himself with bringing into the fort more field-pieces, as well as powder, shot, and shells. "If they attempt to rise, I," he gave out, "will drive them all out of the town for a pack of rascals, with four-and-twenty men." "The people here will soon come to better temper, after taxes become more familiar to them," wrote an officer who had been sent to America on a tour

of observation. But the press of New York, from denying the right of parliament to tax the colonies, proceeded to doubt its legislative authority over America altogether. On the twenty-first day of September, "The Constitutional Courant," a paper defending that principle, made its appearance, and "JOIN OR DIE" was its motto. "Join or Die" was echoed from one end of the continent to the other. 1765. Sept.

CHAPTER XVIII.

THE COLONIES MEET IN CONGRESS. ROCKINGHAM ADMINISTRATION.

OCTOBER, 1765.

THE cry was the harbinger of an American congress. The delegates of South Carolina — Gadsden, who never practised disguise; the upright and eloquent John Rutledge; Lynch, who combined good sense, patriotism, and honesty with conciseness of speech and dignity of manner — arrived first at its place of meeting. In New Jersey, where the lawyers were resolved to forego all business rather than purchase a stamp, a little delay in the organization of its house of representatives gave them time to imitate the example of Delaware.

1765. Oct.

While they were waiting, on the third day of October, the last stamp officer north of the Potomac, the stubborn John Hughes, a Quaker of Philadelphia, as he lay desperately ill, heard the beating of muffled drums through the city, the ringing of the muffled state house bell, and the trampling feet of the people assembling to demand his resignation. His illness obtained for him some forbearance; but his written promise was extorted not to do any thing that should have the least tendency to put the stamp act into execution in Pennsylvania or Delaware; and he announced to the governor his "resignation." "If Great Britain can or will suffer such conduct to pass unpunished," thus he wrote to the commissioners of stamps, "a man need not be a prophet, nor the son of a prophet, to see clearly that her empire in North America is at an end."

On Monday, the seventh of October, delegates chosen

by the house of representatives of Massachusetts, Rhode Island, Connecticut, Pennsylvania, Maryland, and South Carolina; delegates named by a written requisition from the individual representatives of Delaware and New Jersey; and the legislative committee of correspondence of New York, met at New York in congress. New Hampshire, though not present by deputy, agreed to abide by the result; and they were gladdened during their session by the arrival of the messenger from Georgia, sent near a thousand miles by land to obtain a copy of their proceedings. 1765. Oct.

The members of this first union of the American people were elected by representatives of each separate colony; and, notwithstanding great differences in their respective population and extent of territory, they recognised each other as equals, "without the least claim of pre-eminence one over the other."

The congress entered directly on the consideration of the safest groundwork on which to rest the collective American liberties. Should they build on charters or natural justice, on precedents and fact or abstract truth, on special privileges or universal reason? Otis was instructed by Boston to support not only the liberty of the colonies, but also chartered rights; and Johnson, of Connecticut, submitted a paper, which pleaded charters from the crown. But Robert R. Livingston, of New York, "the goodness of whose heart set him above prejudices, and equally comprehended all mankind," would not place the hope of America on that foundation; and Gadsden, of South Carolina, spoke against it with irresistible impetuosity. "A confirmation of our essential and common rights as Englishmen," thus he himself reports his sentiments, "may be pleaded from charters safely enough; but any further dependence upon them may be fatal. We should stand upon the broad common ground of those natural rights that we all feel and know as men, and as descendants of Englishmen. I wish the charters may not ensnare us at last, by drawing different colonies to act differently in this great cause. Whenever that is the case, all will be over with the whole. There ought to be no

New England man, no New-Yorker, known on the continent, but all of us Americans."

These views prevailed; and, in the proceedings of the congress, the argument for American liberty from royal grants was avoided. This is the first great step towards independence. Dummer had pleaded for colony charters; Livingston, Gadsden, and the congress of 1765 provided for Americans self-existence and union, by claiming rights that preceded charters and would survive their ruin.

1765. Oct.

And how would that union extend? What nations would be included in the name of Americans? Even while congress were deliberating, the prairies of Illinois, the great eastern valley of the Mississippi, with all its solitudes, in which futurity would summon the eager millions of so many tongues to build happy homes, passed from the sway of France into the temporary custody of England.

The French officers had, since the peace, been ready loyally to surrender the country to the English. But the Illinois, the Missouri, and the Osage tribes would not consent. At a council held in the spring of 1765 at Fort Chartres, the chief of the Kaskaskias, turning to the English officer, said: "Go hence, and tell your chief that the Illinois and all our brethren will make war on you, if you come upon our lands. Away, and tell your chief that these lands are ours; no one can claim them, not even the other red men. Tell your chief that we will have no English here, and that this is the mind of all the red men. Go, and never return, or our wild warriors will make you fall."

But when Fraser, who arrived from Pittsburg, brought proofs that their elder brothers, the Senecas, the Delawares, and the Shawnees, had made peace with the English, the Kaskaskias said: "We follow as they shall lead." "I waged this war," said Pontiac, "because, for two years together, the Delawares and Shawnees begged me to take up arms against the English. So I became their ally, and was of their mind;" and, resisting no longer, he plighted his word for peace, and kept it with integrity.

A just curiosity may ask how many persons of foreign lineage had gathered in the valley of the Illinois since its discovery by the missionaries. Fraser was told that there were of white men, able to bear arms, seven hundred; of white women, five hundred; of their children, 1765. eight hundred and fifty; of negroes of both sexes, nine hundred. The banks of the Wabash, we learn from another source, were occupied by about one hundred and ten French families, most of which were at Vincennes. Fraser sought to overawe the French traders with the menace of an English army that was to come among them; but they pointed to the Mississippi, beyond which they would be safe from English jurisdiction. As he embarked for New Orleans, Pontiac again gave him assurances of continuing peace, if the Shawnees and other nations on the Ohio would recall their war-belts.

With Croghan, an Indian agent, who followed from Fort Pitt, the Illinois nations, and Pontiac himself, agreed that the English should take possession of all the posts which the French formerly held; and Captain Stirling, with one hundred men of the forty-second regiment, was detached down the Ohio, to relieve the French garrison. At Fort Chartres, St. Ange, who had served for fifty years in the wilderness, gave them a friendly reception; and in the fall of the leaf, on the morning of the tenth of October, he surrendered to them the left bank of the Mississippi.

Some of the French crossed the river, so that at St. Genevieve there were at least five-and-twenty families; while St. Louis, whose origin dates from the fifteenth of February, 1764, and whose skilfully chosen site attracted the admiration of the British commander, already counted about twice that number, and ranked as the leading settlement on the western side of the Mississippi. In the English portion of the distant territory, the government then instituted was the absolute rule of the British army, with a local judge to decide all disputes among the inhabitants according to the customs of the country, yet subject to an appeal to the military chief.

Thus France, as she retired from the valley of the Missis-

sippi, cast behind no look of longing. The Duke de Choiseul, who at that time was minister of the marine and for the colonies, repressed regrets for the cession. He saw that America must soon become independent, predicted to his sovereign the nearness of the final struggle between England and its dependencies, and urged that France should prepare for the impending crisis by increasing its naval force.

1765. Oct.

The amiable but inexperienced men who formed the active ministry of England had been suddenly and unexpectedly brought to the administration of an empire. Of the men whose support they needed, many were among the oldest and loudest supporters of the stamp-tax. So orders were given to Bernard in Massachusetts, and elsewhere to governors, in cases of a vacancy, to act as stamp distributors; and the resolves of Virginia were reserved for the consideration of that very parliament which had passed the stamp act by a vote of five to one. Nothing was promised to America but relief to trade, where it was improperly curbed. To rouse the ministry from its indifference, Thomas Hollis, who perceived in the "ugly squall," that had just reached them, the forerunner of the general hurricane, waited on Rockingham with the accounts which he had received from Mayhew, that the stamp act, and the power given to the admiralty courts to dispense with juries, were detested "as instances of grievous oppression, and scarce better than downright tyranny," not by Boston only, but by the people throughout the continent; that the tax could never be carried into execution, unless at the point of the sword, by at least one considerable army in each province, at the hazard of the destruction of the American colonies, or their entire revolt and loss. The ministry shrunk from enforcing by arms the law which a part of them in their hearts disapproved; and on the twenty-fourth of October, the last day but one of the session of the American congress, and only seven before the time for the stamp act to go into effect, Conway, by advice of the privy council, sent letters to the American governors and to the general, exhorting to "persuasive methods" and "the utmost prudence and lenity."

The conduct of America was regulated by the congress at New York, in which no colony was better represented than South Carolina. Her delegation gave a chief to two of the three great committees, and in all that was done well her mind visibly appeared. The difficult task of defining the rights and "setting forth the liberty" which America "ought to enjoy" led the assembly to debate for two weeks "on liberty, privileges, and prerogative." In these debates, "not one appeared to be so complete a master of every subject, or threw so much light on every question, as Otis," of Boston.

It was proposed to "insist upon a repeal of all acts laying duties on trade, as well as the stamp act." "If we do not make an explicit acknowledgment of the power of Britain to regulate our trade," said the too gentle Livingston, "she will never give up the point of internal taxation." But he was combated with great heat, till the congress, by the hand of Rutledge, of South Carolina, erased from the declaration of rights the unguarded concession; and the restrictions on American commerce, though practically acquiesced in, were enumerated as grievances.

Still Gadsden and Lynch were not satisfied. With vigorous dialectics, they proceeded, from a denial of the power of parliament in America, to deny the propriety of approaching either house with a petition. "The house of commons," reasoned Gadsden, "refused to receive the addresses of the colonies, when the matter was pending; besides, we neither hold our rights from them nor from the lords." But, yielding to the majority, Gadsden suppressed his opposition; "for," said he, "union is most certainly all in all." 1765. Oct.

The carefully considered documents, in which the congress embodied the demands of America, dwell mainly on the right to trial by jury in opposition to the extension of the admiralty jurisdiction, and the right to freedom from taxation except through the respective colonial legislatures. These were promulgated in the declaratory resolutions, with the further assertion that the people of the colonies not only are not, but, from their local circumstances, never can

be, represented in the house of commons in Great Britain; that taxes never have been, and never can be, constitutionally imposed on the colonies but by their respective legislatures; that all supplies to the crown are free gifts; and that for the people of Great Britain to grant the property of the colonists was neither reasonable nor consistent with the principles or spirit of the British constitution. The same immunities were claimed, in the address to the king, as "inherent rights and liberties," of which the security was necessary to the "most effectual connection of America with the British empire." They also formed the theme of the memorial to the house of lords, mingled with complaints of the "late restrictions on trade."

1765. Oct.

The congress purposely employed a different style in the address to the house of commons, insisting chiefly on the disadvantages the new measure might occasion, as well to the mother country as to the colonies. They disclaimed for America the "impracticable" idea of a representation in any but American legislatures. Acknowledging "all due subordination to the parliament of Great Britain," and extolling the "English constitution as the most perfect form of government," the source of "all their civil and religious liberties," they argued that, in reason and sound policy, there exists a material distinction between the exercise of a parliamentary jurisdiction in general acts of legislation for the amendment of the common law or the regulation of trade through the whole empire, and the exercise of that jurisdiction by imposing taxes on the colonies; from which they, therefore, entreated to be relieved.

While the congress were still weighing each word and phrase which they were to adopt, a ship laden with stamps arrived. At once, all the vessels in the harbor lowered their colors. The following night, papers were posted up at the doors of every public office and at the corners of the streets, in the name of the country, threatening the first man that should either distribute or make use of stamped paper. "Assure yourselves," thus the stamp distributors were warned, "the spirit of Brutus and Cassius is yet alive." The people grew more and more inflamed, declar-

ing: "We will not submit to the stamp act upon any account or in any instance." "In this, we will no more submit to parliament than to the divan at Constantinople." "We will ward it off till we can get France or Spain to protect us." From mouth to mouth flew the words of John Adams: "You have rights antecedent to all earthly government; rights that cannot be repealed or restrained by human laws; rights derived from the great Legislator of the universe." In the midst of this intense excitement, the congress brought its deliberations to a close. Ruggles, of Massachusetts, full of scruples and timidities, and Ogden, of New Jersey, who insisted that it was better for each province to petition separately for itself, pretended that the resistance to the stamp act through all America was treason, argued strenuously in favor of the supreme authority of parliament, and, cavilling to the last at particular expressions, refused to sign the papers prepared by the congress. "Union," said Dyer, of Connecticut, "is so necessary, disunion so fatal, in these matters, that, as we cannot agree upon any alteration, they ought to be signed as they are, by those who are authorized to do so." 1765. Oct.

On the morning of the twenty-fifth, the anniversary of the accession of George III., the congress assembled for the last time; and the delegates of six colonies, being empowered to do so, — namely, all the delegates from Massachusetts, except Ruggles; all from New Jersey, except Ogden; all those of Rhode Island; all of Pennsylvania, excepting Dickinson, who was absent, but adhered; all of Delaware; and all of Maryland; with the virtual assent of New Hampshire, Connecticut, New York, South Carolina, and Georgia, — set their hands to the papers, by which the colonies became, as they expressed it, "a bundle of sticks, which could neither be bent nor broken."

CHAPTER XIX.

AMERICA ANNULS THE STAMP ACT. ROCKINGHAM'S ADMINISTRATION CONTINUED.

OCTOBER—DECEMBER, 1765.

ON the day on which the congress consummated the union, the legislature which first proposed it, having been reassembled at Boston, and now cheered and invigorated by the presence of Samuel Adams, imbodied, in their reply to Bernard, the opinion on the power of parliament, from which the colony was never to recede.

1765. Oct.

"Your excellency tells us," they said, "that the province seems to be upon the brink of a precipice! To despair of the commonwealth is a certain presage of its fall. The representatives of the people are awake to the sense of its danger, and their utmost prudence will not be wanting to prevent its ruin.

"Of the power of parliament, there undoubtedly are boundaries. The church, in the name of the sacred Trinity, in the presence of King Henry III. and the estates of the realm, solemnly denounced that most grievous sentence of excommunication against all those who should make statutes, or observe them, being made contrary to the liberties of Magna Charta. Such acts as infringed upon the rights of that charter were always repealed. We have the same confidence in the rectitude of the present parliament. To require submission to an act as a preliminary to granting relief from the unconstitutional burdens of it supposes such a wanton exercise of mere arbitrary power as ought never to be surmised of the patrons of liberty and justice.

"The charter of the province invests the general assembly with the power of making laws for its internal govern-

ment and taxation; and this charter has never yet been forfeited.

"There are certain original inherent rights belonging to the people, which the parliament itself cannot divest them of: among these is the right of representation in the body which exercises the power of taxation. There is a necessity that the subjects of America should exercise this power within themselves; for they are not represented in parliament, and indeed we think it impracticable.

"To suppose an indisputable right in parliament to tax the subjects without their consent, includes the idea of a despotic power.

"The people of this province have a just value for their inestimable rights, which are derived to all men from nature, and are happily interwoven in the British constitution. They esteem it sacrilege ever to give them up; and, rather than lose them, they would willingly part with every thing else.

"The stamp act wholly cancels the very conditions upon which our ancestors, with much toil and blood and at their sole expense, settled this country, and enlarged his majesty's dominions. It tends to destroy that mutual confidence and affection, as well as that equality, which ought ever to subsist among all his majesty's subjects in this wide and extended empire; and, what is the worst of all evils, if his majesty's American subjects are not to be governed according to the known and stated rules of the constitution, their minds may, in time, become disaffected."

In addition to this state paper, which was the imprint of the mind of Samuel Adams, and had the vigor and polished elegance of his style, the house adopted "the best, and the best digested series of resolves," prepared by him, 1765. Oct. "to ascertain the just rights of the province," which the preamble said "had been lately drawn into question" by the British parliament.

The answer of the house was regarded in England as the ravings of "a parcel of wild enthusiasts:" in America, nothing was so much admired through the whole course of the controversy; and John Adams, who recorded at the

time the applause which it won, said also that, of all the politicians of Boston, "Samuel Adams had the most thorough understanding of liberty and her resources in the temper and character of the people, though not in the law and the constitution, as well as the most habitual radical love of it, and the most correct, genteel, and artful pen." "He is a man," he continued, "of refined policy, steadfast integrity, exquisite humanity, genteel erudition, obliging, engaging manners, real as well as professed piety, and a universal good character, unless it should be admitted that he is too attentive to the public, and not enough so to himself or his family. He is always for softness and prudence, where they will do; but is stanch, and stiff, and strict, and rigid, and inflexible in the cause."

The firmness of the new legislator was sustained by the confidence of the people of Boston; and the vacillation of Otis, which increased with his infirmities, ceased to be of public importance. Massachusetts never again discussed with the British ministry the amount of a practical tax, or the inexpediency of taxation by parliament, or the propriety of an American representation in that body.

"I am resolved to have the stamps distributed," wrote Colden to the British secretary, the day after the congress adjourned. Officers of the navy and army, with great alacrity, gave him every assistance; and ridiculed the thought that the goverment would repeal the stamp act, as the most singular delusion of party spirit. His son, whom he appointed temporary distributor, wrote on the same day to the commissioners of stamps, soliciting to hold the place permanently; for, he assured them, "in a few months, the act would be quietly submitted to."

1765. Oct. On the thirty-first of October, Colden and all the royal governors took the oath to carry the stamp act punctually into effect. In Connecticut, which in its assembly had already voted American taxation by a British parliament to be "unprecedented and unconstitutional," Dyer, of the council, entreated Fitch not to take an oath, which was contrary to that of the governor to maintain the rights of the colony. But Fitch had urged the assembly to

prosecute for riot the five hundred that coerced Ingersoll at Wethersfield, had talked of the public spirit in the language of an enemy, had said that the act must go down, that forty regulars could guard the stamp papers, and that the American conduct would bring from home violent measures and the loss of charters; and he resolved to comply; on which Pitkin, Trumbull, and Dyer, truly representing the sentiments of Connecticut, rose with indignation and left the room. The governor of Rhode Island stood alone in his refusal.

But everywhere, either quietly of themselves, or at the instance of the people, amidst shouts and the ringing of bells and the firing of cannon, or, as in Virginia, with rage changing into courtesy on the prompt submission of the stamp-master, or, as at Charleston, with the upraising of the flag of liberty, surmounted by a branch of laurel, everywhere the officers resigned. There remained not one person duly commissioned to distribute stamps.

On the twenty-fifth of October the merchants of Philadelphia, on the thirty-first those of New York, in public meetings, bound themselves to send no new orders for goods or merchandise; to countermand all former orders; and not even to receive goods on commission, unless the stamp act be repealed. A people, who as yet had no manufactures, gave up every comfort from abroad, rather than continue trade at the peril of freedom. A New York committee of intercolonial correspondence, composed of Isaac Sears, Lamb, Mott, Wiley, and Robinson, invited the people of the neighboring governments to join in the league.

Friday, the first morning of November, broke upon a people unanimously resolved on nullifying the stamp act. From New Hampshire to the far south, the day was introduced by the tolling of muffled bells; minute-guns were fired, and pennants hoisted at half-staff; or a eulogy was pronounced on liberty, and its knell sounded; and then again the note changed, as if she were restored to life; and, while pleasure shone on every countenance, men shouted confusion to her enemies. Even children, hardly able to speak, caught up the general chorus, and went along

1765. Nov.

the streets merrily carolling, "Liberty, property, and no stamps."

The publishers of newspapers which appeared on Friday bore the brunt in braving the penalties of the act. Honor, then, to the ingenious Benjamin Mecom, the bold-hearted editor at New Haven, who on that morning, without apology or concealment, issued the "Connecticut Gazette," filled with patriotic appeals; for, said he, "the press is the test of truth, the bulwark of public safety, the guardian of freedom, and the people ought not to sacrifice it."

Nor let the true lovers of their country pass unheeded the grave of Timothy Green, one of an illustrious family of printers, himself publisher of the "New London Gazette," which had always modestly and fearlessly defended his country's rights; for, on the same day, his journal came forth without stamps, and gave to the world a paper from the incomparable Stephen Johnson, of Lyme.

1765. Nov.

"The hearts of Americans," said he, "are cut to the quick by the act; we have reason to fear very interesting and terrible consequences, though by no means equal to tyranny or slavery. But what an enraged, despairing people will do, when they come to see and feel their ruin, time only can reveal." "The liberty of free inquiry is one of the first and most fundamental of a free people. They may publish their grievances: they have an undoubted right to be heard and relieved. The American governments or inhabitants may associate for the mutual defence of their birthright liberties. It is the joy of thousands that there is union and concurrence in a general congress. We trust they will also lay a foundation for another congress. Shut not your eyes to your danger, O my countrymen! Do nothing to destroy or betray the rights of your posterity; do nothing to sully or shade the memory of your noble ancestors. Let all the governments and all the inhabitants in them unitedly resolve to a man, with an immovable stability, to sacrifice their lives and fortunes, before they will part with their invaluable freedom. It will give you a happy peace in your own breasts, and secure you the most endeared affection, thanks, and blessing of your posterity; it will gain you the

esteem of all true patriots and friends of liberty through the whole realm; yea, and as far as your case is known, it will gain you the esteem and the admiration of the whole world."

The conduct and the language of the "Gazette" animated the patriots within its sphere; and he who would single out in the country the region where at that time patriotism burned with the purest flame can find none surpassing the county of New London. The royalists of New York, like Bernard at Boston, railed at Connecticut as a land of republicans, and at Yale College as "a seminary of democracy." 1765. Nov.

In New York, "the whole city rose up as one man in opposition to the stamp act." The sailors came from their shipping; "the people flocked in," as Gage thought, "by thousands;" and the leader of the tumult was Isaac Sears. At the corners of streets, at the doors of the public offices, placards threatened all who should receive or deliver a stamp, or delay business for the want of one.

Colden retired within the fort, and drew from the "Coventry" ship-of-war a detachment of marines. He would have fired on the people, but was menaced with being hanged, like Porteus of Edinburgh, upon a sign-post, if he did so. In the evening, a torch-light procession, carrying a scaffold and two images, one of the governor, the other of the devil, came from the Fields, now the Park, down Broadway, to within ten or eight feet of the fort, knocked at its gate, broke open the governor's coach-house, took out his chariot, carried the images upon it through the town, and returned to burn them with his own carriages and sleighs, before his eyes, on the Bowling Green, under the gaze of the garrison on the ramparts, and of all New York gathered round about. "He has bound himself," they cried, "by oath to be the chief murderer of our rights." "He was a rebel in Scotland, a Jacobite." "He is an enemy to his king, to his country and mankind." At the same time, a party of volunteers sacked the house occupied by James, and bore off the colors of the royal regiments.

On Saturday, the second of November, Colden gave way.

The council questioned his authority to distribute the stamps, and unanimously advised him to declare that he would do nothing in relation to them, but await the arrival of the new governor; and his declaration to that effect, duly authenticated, was immediately published. But the confidence of the people was shaken. "We will have the stamp papers," cried Sears to the multitude, "within four-and-twenty hours;" and the crowd expressed their adherence by shouts. "Your best way," added Sears to the friends of order, "will be to advise Lieutenant-governor Colden to send the stamp papers from the fort to the inhabitants." To appease their wrath, Colden invited Kennedy to receive them on board the "Coventry." "They are already lodged in the fort," answered Kennedy, unwilling to offend the people.

The common council of New York next interposed, and asked that the stamped paper should be delivered into their custody. Colden pleaded his oath, and the still greater contempt into which the government would fall by the concession; but the council answered that his power was unequal to the protection of the inhabitants. Gage, being appealed to, avowed the belief that a fire from the fort would be the signal for "an insurrection" and "the commencement of a civil war." So the head of the province of New York and the military chief of all America, confessing their inability to stop the anarchy, capitulated to the municipal body which represented the people. The stamps were taken to the city hall; the city government restored order; the press continued its activity; and in all the streets was heard the shout of "liberty, property, and no stamps."

1765. Nov.

The thirst for revenge rankled in Colden's breast. "The lawyers of this place," so he reported to the secretary of state, "are the authors and conductors of the present sedition; if judges be sent from England, with an able attorney-general and solicitor-general, to make examples of some very few, this colony will remain quiet;" and, in other letters, he pointed plainly to John Morin Scott, Robert R. Livingston, and William Livingston as suitable victims.

When Moore, the new governor, arrived, he could do

nothing but give way to the popular impulse. He dismantled the fort, and suspended his power to execute the stamp act. When the assembly came together, it confirmed the doings of its committee at the congress.

In New Jersey, Ogden was disavowed by his constituents, and burned in effigy. The assembly, by a unanimous vote, accepted his resignation as speaker, and thanked the two faithful delegates who had signed the proceedings of the congress. Of those proceedings, New Hampshire, by its assembly, signified its entire approbation. The voluntary adhesion of the representatives of Georgia 1765. Nov. was esteemed valid on the part of that colony. Its governor was met by "the same rebellious spirit as prevailed at the north."

The delegates of South Carolina were received by their assembly on the twenty-sixth of November. On that morning, the papers of the congress, the declaration of rights, and the addresses were read; in an evening session, they were all adopted without change, by a vote which wanted but one of being unanimous; they were signed by the speaker, and put on board the "Charming Charlotte," a fine ship riding in the harbor with its sails bent; and the next morning, while the assembly were signifying, in the most ample manner, their satisfaction at the conduct of their agents, it stood away, with swelling canvas, for England. "Nothing will save us," wrote Gadsden, "but acting together; the province that endeavors to act separately must fall with the rest, and be branded besides with everlasting infamy."

The people of North Carolina would neither receive a stamp-man, nor tolerate the use of a stamp, nor suffer its ports to be closed. Its legislature was so long prorogued that it could not join in the application of the congress; but, had there been need of resorting to arms, "its whole force was ready to join in protecting the rights of the continent." It was the same throughout the country. Wherever a jealousy was roused that a stamp officer might exercise his functions, the people were sure to gather about him, and compel him to renew his resignation under oath, or solemnly before witnesses.

The colonies began to think of permanent union. "JOIN OR DIE" became more and more their motto. At Windham, in Connecticut, the freemen, in a multitudinous assembly, agreed with one another "to keep up, establish, and maintain the spirit of union and liberty;" and, for that end, they recommended monthly county conventions, and also a general meeting of the colony.

1765. Dec. At New London, the inhabitants of the county of that name, holding a mass meeting in December, unanimously decided, in carefully prepared resolves, that every form of rightful government originates from the consent of the people; that lawful authority cannot pass the boundaries set by them; that, if the limits are passed, they may reassume the authority which they had delegated; and that, if there is no other mode of relief against the stamp act and similar acts, they must reassume their natural rights and the authority with which they were invested by the laws of nature and of God. The same principles were adopted at various village gatherings, and became the political platform of Connecticut.

In New York, the validity of the British navigation acts was more and more openly impugned, and the merchants claimed a right to every freedom of trade enjoyed in England. When the general applied for the supplies, which the province was enjoined by the British mutiny act to contribute for the use of the troops quartered among them, the assembly would pay no heed to an act of parliament to which they themselves had given no assent; and, in the general tumult, their refusal passed almost unnoticed.

Everywhere the fixed purpose prevailed that "the unconstitutional" stamp act should not go into effect. Nothing less than its absolute repeal would give contentment, much as England was loved. The greatest unanimity happily existed; and all were bent on cherishing it for ever. Here was something new in the affairs of men. Never had the people of provinces extending over so vast a continent, and so widely sundered from one another, been thus cordially bound together in one spirit and one resolve. In all their tumults, they deprecated the necessity of declaring inde-

pendence; but they yet more earnestly abhorred and rejected unconditional submission. Still satisfied with the Revolution of 1688 and its theory of security to liberty and property, they repelled the name of "republican" as a slander on their loyalty; but they spurned against "passive obedience." Nothing on earth, they insisted, would deprive Great Britain of her transatlantic dominions but her harboring ungenerous suspicions, and thereupon entering into arbitrary and oppressive measures. "All eyes were turned on her with hope and unbounded affection," with apprehension and firmness of resolve. "Pray for the peace of our Jerusalem," said Otis, from his heart, fearing "the parliament would charge the colonies with presenting petitions in one hand and a dagger in the other." Others thought "England would look with favor on what was but an old English spirit of resentment at injurious treatment." They trusted that "the united voice of this very extensive continent," uttering "the sober opinions of all its inhabitants," would be listened to, so that Great Britain and America might once more enjoy "peace, harmony, and the greatest prosperity." "Every moment is tedious," wrote South Carolina to its agent in London: "should you have to communicate the good news we wish for, send it to us, if possible, by a messenger swifter than the wind." 1765. Dec.

CHAPTER XX.

PARLIAMENT LEARNS THAT AMERICA HAS RESISTED. ROCKINGHAM'S ADMINISTRATION CONTINUED.

DECEMBER, 1765—JANUARY, 1766.

THE stamp act, said George Grenville, when, emaciated, exhausted, and borne down by disappointment, he spoke in the house of commons for the last time before sinking into the grave, "the stamp act was not found impracticable. Had I continued in office, I would have forfeited a thousand lives, if the act had been found impracticable." "If the administration of this country had not been changed," Rigby, the leader of the Bedford party, long persisted in asserting, "the stamp-tax would have been collected in America with as much ease as the land-tax in Great Britain." Lord North professed to be of the same opinion. The king had dismissed the only ministry bent on enforcing it; and his heart was divided between a morbid anxiety to execute the law and his purpose never again to employ Bedford and Grenville.

1765. Dec.

The opinion of England was as fluctuating as the mind of the king. Many of the landed aristocracy regarded the conduct of the colonies as an open rebellion, which ought to be checked in the beginning; the mercantile people were for redressing their grievances. The traditions of the public offices were at variance. Successive administrations had listened to schemes of coercive taxation; but the friends of colonial freedom could reply that no minister before Grenville had attempted to carry such projects into effect. Each side confidently invoked the British constitution. Grenville declared the paramount authority of parliament throughout the British dominions to be the essence of the Revolution of

1688; others insisted that, by revolution principles, property is sacred against every exaction without consent. The one party ventured to assert that America was virtually represented in the British parliament as much as the great majority of the British people; and, while America treated the pretext as senseless, a large and growing party in England demanded for all its inhabitants a share in the national council. In the new ministry, Northington, the chancellor, and Charles Yorke, the attorney-general, insisted on the right to tax America; while Grafton and Conway inclined to abdicate the pretended right, and the kind-hearted Rockingham declared himself ready to repeal a hundred stamp acts rather than run the risk of such confusion as would be caused by enforcing one.

Nor was the argument on which the stamp act rested in harmony with the sentiments and convictions of reflecting Englishmen. Its real authors insisted that protection and obedience are correlative duties; that Great Britain protected America, and therefore America was bound to obedience. But this is the doctrine of absolute monarchy, not of the British constitution. 1765. Dec.

The colonists had a powerful ally in the love of liberty, which was to the true Englishman a habit of mind, grafted upon a proud but generous nature. His attachment to it was stronger than the theory of the absolute power of a parliament, of which an oligarchy influenced the choice and controlled the deliberations. The British constitution was in its idea more popular than in its degenerate forms; it aimed at carrying out "the genuine principles of liberty," by securing a free and unbiassed "vote to every member of the community, however poor;" but time and a loose state of national morals had tended to produce corruption. "The incurvations of practice," whether in England or the colonies, were becoming "more notorious by a comparison with the rectitude of the rule." "To elucidate the clearness of the spring conveyed the strongest satire on those who had polluted or disturbed it." America divided English sympathies by appealing with steadfast confidence to the cherished principles of English liberty in their ideal purity.

It is the glory of England that the rightfulness of the stamp act was in England itself a subject of dispute. It could have been so nowhere else. The king of France taxed the French colonies as a matter of course; the king of Spain collected a revenue by his own will in Mexico and Peru, in Cuba and Porto Rico, and wherever he ruled; the states-general of the Netherlands had no constitutional scruples about imposing duties on their outlying possessions. To England exclusively belongs the honor that between her and her colonies the question of right could arise; it is still more to her glory, as well as to her happiness and freedom, that in that contest her success was not possible. Her principles, her traditions, her liberty, her constitution, all forbade that arbitrary rule should become her characteristic. The shaft aimed at her new colonial policy was tipped with a feather from her own wing.

1765. Dec.

During the lifetime of Cumberland, the ministry never avowed a disposition to yield to the claims of the colonists. But, the night before the stamp act was to have gone into effect, the duke, all weary of life, which for him had been without endearments, died suddenly, on his way to a cabinet council on American affairs; and his influence perished with him. Weakened by his death, and divided in opinion, the ministry showed itself more and more unsettled in its policy. On the third of October, they had agreed that the American question was too weighty for their decision, and required that parliament should be consulted; and yet they postponed the meeting of parliament till there had been time to see if the stamp act would indeed execute itself. To Franklin, who was unwearied in his efforts to promote its repeal, no hope was given of relief; and though the committee of merchants, who on the twelfth of December waited on Rockingham, Dowdeswell, Conway, and Dartmouth, were received with dispassionate calmness, it was announced that the right to tax Americans could never be given up, and that a suspension was "the most that could be expected."

The successive accounts from America grieved the king more and more. "Where this spirit will end," said he, "is not to be said. It is undoubtedly the most serious matter

that ever came before parliament." He was highly provoked by the riots in New York; and the surrender of the stamps to the municipality of the city seemed to him "greatly humiliating." When the day for opening parliament came, he was impatient to receive a minute report of all that should occur. 1765. Dec.

The address moved in the house of lords only gave a pledge "to do every thing which the exigency of the case might require." The Earl of Suffolk, a young man of five-and-twenty, proposed "to enforce the legal obedience of the colonies, and their dependence on the sovereign authority of the kingdom."

Grafton resisted the amendment, avoiding the merits of the question till the house should be properly possessed of it by the production of papers. Of these, Dartmouth added that the most important related to New York, and had been received within four or five days. Rockingham was dumb. Shelburne alone, unsupported by a single peer, intimated plainly his inclination for a repeal of the law. "Before we resolve upon rash measures," said he, "we should consider first the expediency of the law, and next our power to enforce it. The wisest legislators have been mistaken. The laws of Carolina, though planned by Shaftesbury and Locke, were found impracticable, and are now grown obsolete. The Romans planted colonies to increase their power; we, to extend our commerce. Let the regiments in America, at Halifax or Pensacola, embark at once upon the same destination, and no intervening accident disappoint the expedition, what could be effected against colonies so populous and of such magnitude and extent? The colonies may be ruined first, but the distress will end with ourselves."

Halifax, Sandwich, Gower, even Temple, Lyttelton, and Bedford, joined in saying: "Protection, without dependence and obedience, is a solecism in politics. The connection between Great Britain and her colonies is that of parent and child. For the parent not to correct the undutiful child would argue weakness. The duty to enforce obedience cannot be given up, because the relation cannot be destroyed. The king cannot separate his colonies any more than any

other part of his dominions from the mother country, nor render them independent of the British legislature. 1765. Dec. The laws and constitution of the country are prior and superior to charters, many of which were issued improvidently, and ought to be looked into.

"The colonies wish to be supported by all the military power of the country without paying for it. They have been for some time endeavoring to shake off their dependence. Pennsylvania, in 1756, refused to assist government, though the enemy was at their gates; and afterwards, in their manner of granting aid, they encroached on the king's prerogative. The next attempt of the colonies will be to rid themselves of the navigation act, the great bulwark of this country; and, because they can thus obtain their commodities twenty-five per cent cheaper, they will buy of the French and Dutch, rather than of their fellow-subjects. They do not condescend to enter into explanations upon the stamp act, but object to its principle and the power of making it; yet the law was passed very deliberately, with no opposition in this house, and very little in the other. The tax, moreover, is light, and is paid only by the rich, in proportion to their dealings. The objections for want of representation are absurd. Who are affected by the duties on hardware but the people of Manchester, Birmingham, and Leeds? And how are they represented?

"But suppose the act liable to exceptions: is this a time to discuss them? When the pretender was at Derby, did you then enter upon a tame consideration of grievances? What occasion is there for papers? The present rebellion is more unnatural, and not less notorious, than that of 1745. The king's governors have been hanged in effigy, his forts and generals besieged, and the civil power annulled or suspended. Will you remain inactive till the king's governors are hanged in person? Is the legislature always to be dictated to in riot and tumult? The weavers were at your doors last year; and this year the Americans are up in arms, because they do not like what you have passed.

"Why was not parliament called sooner? Why are we now called to do nothing? The house is on fire: shall we

wait till it is burnt down before we interpose? Resist at the threshold. First repress the rebellion, and then inquire into grievances. Ministers may be afraid of going too far on their own authority; but will they refuse assistance when it is offered them? We serve the crown by strengthening its hands." 1765. Dec.

Northington, the chancellor, argued from the statute-book that, as a question of law, the dependence of the colonies had been fully declared in the reign of William III.; and he "lustily roared" that "America must submit." Lord Mansfield endeavored to bring the house to unanimity by recommending the ministry to assent to the amendment; "for," said he, "the question is most serious, and not one of the ordinary matters agitated between the persons in and out of office." Failing to prevent a division, he went away without giving a vote. The opposition was thought to have shown great ability, and to have expressed the prevailing opinion of the house of lords, as well as of the king. But the king's friends, unwilling to open a breach through which Bedford and Grenville could storm the cabinet, divided against the amendment.

In the house of commons, though the new ministers were not yet re-elected, Grenville, enraged at seeing an act of his ministry set at naught, moved to consider North America as "resisting the laws by open and rebellious force." Cooke, the member from Middlesex, showed the cruelty of fixing the name of rebels on all. Charles Townshend asserted with vehemence his approbation of the stamp act, and leaned towards the opinion of Grenville. "Sooner," said he, "than make our colonies our allies, I should wish to see them returned to their primitive deserts." Norton dwelt much on the legislative authority of parliament to tax all the world under British dominion. Some one said that Great Britain had long arms. "Yes," it was answered, "but three thousand miles is a long way to extend them." Especially it is observable that Lord George Sackville, just rescued from disgrace by Rockingham, desired to enforce the stamp act.

The amendment was withdrawn. When, three days later,

Grenville divided the house, he had only thirty-five votes against seventy-seven. Baker, in the debate, chid him as the author of all the trouble in America; but he threw the blame from himself upon the parliament. Out of doors there was a great deal of clamor that repealing the stamp act would be a surrender of sovereignty; but others held the attempt at coercion to be the ruinous side of the dilemma.

While opinion in England was still unformed, the colonies were proceeding with their system of resistance. "If they do not repeal the stamp act, we will repeal it ourselves," said Otis, who, nine months before, had counselled submission. The first American ship that ventured to sea with a rich cargo, and without stamp papers, was owned by the Boston merchant, John Hancock. In the Savannah River, a few British ships took stamped clearances; but this continued only till the people had time to understand one another, and to interfere. In South Carolina, the lieutenant-governor, pleading the necessity of the case, himself sanctioned opening the port of Charleston.

1765. Dec.

At New York, the men-of-war detained vessels ready for sea, till the people rose in anger; and the naval commander, becoming alarmed by the danger of riots, left the road from New York to the ocean as free as it was from every other harbor in the thirteen colonies.

In Rhode Island, all public officers, judges among the rest, continued to transact business. In New York, the judges would willingly have held their terms, but were restrained by a menace of dismissal from office. In Boston, the people dealt first with Andrew Oliver, who had received his commission as stamp-man. On the day when the king was proceeding in state to the house of lords to open parliament, the "true-born Sons of Liberty" placed Oliver at the head of a long procession, with Mackintosh, a leader in the August riots, at his side, and, on the cold wet morning, escorted him to Liberty Tree, to stand in the rain under the very bough on which he had swung in effigy. There, in the presence of two thousand men, he declared in a written paper, to which he publicly set his name, that he would never directly or indirectly take any measures to en-

force the stamp act; and, with the multitude for witnesses, he, upon absolute requisition, made oath to this pledge before Richard Dana, a justice of the peace. At this, the crowd gave three cheers; and, when Oliver spoke to them with a smile, they gave three cheers more.

On the evening of the next day, as John Adams sat ruminating, in his humble mansion at Quincy, on the interruption of his career as a lawyer, a message came that Boston, at the instance of Samuel Adams, had joined him with Gridley and Otis, to sustain their memorial to the governor and council for opening the courts. It fell to him, on the evening of the twentieth, to begin the argument. "The stamp act," he reasoned, "is invalid; it is not in any sense our act; we never consented to it. A parliament, in which we are not represented, had no legal authority to impose it; and, therefore, it ought to be waived by the judges as against natural equity and the constitution." Otis spoke with great learning and zeal on the duties and obligations of judges. Gridley dwelt on the inconvenience of the interruption of justice. 1765. Dec.

"Many of the arguments," said Bernard, in reply, "are very good ones to be used before the judges, but there is no precedent for the interference of the governor and council. In England, the judges would scorn directions from the king on points of law."

On Saturday, the town voted the answer unsatisfactory. Ever fertile in resources, Otis proposed to invite the governor to call a convention of the members of both houses of the legislature; if the governor should refuse, then to call one themselves, by requesting all the members to meet; and John Adams came round to this opinion.

"The king," thus the young lawyer mused at his own fireside, "the king is the fountain of justice. Protection and allegiance are reciprocal. If we are out of the king's protection, we are discharged from our allegiance. The ligaments of government are dissolved, the throne abdicated." Otis, quoting Grotius and the English lawyers of 1688, assured the public that, "if a king lets the affairs of a state run into disorder and confusion, his conduct is a

real abdication;" that, unless business should proceed as usual, there "would be a release of subjects from their allegiance."

America must unite and prepare for resistance. In New York, on Christmas Day, the lovers of liberty pledged themselves "to march with all despatch, at their own costs and expense, on the first proper notice, with their whole force, if required, to the relief of those who should or might be in danger from the stamp act or its abettors." Before the year was up, Mott, one of the New York committee of correspondence, arrived with others at New London, to ascertain how far New England would adopt the same covenant.

1766. Jan. "If the great men are determined to enforce the act," said John Adams, on New Year's Day, "they will find it a more obstinate war than the conquest of Canada and Louisiana." "Great sir," said Edes and Gill, through their newspaper to the king, printing the message in large letters, "retreat, or you are ruined."

"None," said the press of Philadelphia, in words widely diffused, "none in this day of liberty will say that duty binds us to yield obedience to any man or body of men, forming part of the British constitution, when they exceed the limits prescribed by that constitution. The stamp act is unconstitutional, and no more obligatory than a decree of the divan of Turkey."

Encouraged by public opinion, the Sons of Liberty of New York, on the seventh of January, resolved that "there was safety for the colonies only in the firm union of the whole;" that they themselves "would venture their lives and fortunes, effectually to prevent the stamp act." On the following night, the ship, which arrived from London with ten more packages of stamps for New York and Connecticut, was searched from stem to stern, and the packages were seized and carried in boats up the river to the shipyards, where, by the aid of tar barrels, they were thoroughly consumed.

The resolutions of New York were carried swiftly to Connecticut. The town of Wallingford voted a fine of

twenty shillings on any of its inhabitants "that should use or improve any stamped vellum or paper;" its Sons of Liberty were ready "to oppose the unconstitutional stamp act to the last extremity, even to take the field." The county of New London, meeting at Lyme, declared "the general safety and privileges of all the colonies to depend on a firm union;" and they appointed Major John Durkee to correspond with the Sons of Liberty in the adjoining provinces. Israel Putnam, the brave patriot of Pomfret, — whose people derived their connection with England from a compact, their freedom from God and nature, — rode from town to town through the eastern part of Connecticut to see what number of men could be depended upon, and gave out that he could lead forth ten thousand.

Massachusetts spoke through its house of representatives, which convened in the middle of January. 1766. Jan. They called on impartial history to record their glorious stand even against an act of parliament, and that the union of all the colonies was upon a motion made in their house. Insisting that "the courts of justice must be open, open immediately," they voted, sixty-six against four, that the shutting of them was not only "a very great grievance requiring immediate redress," but "dangerous to his majesty's crown."

Bernard, who consulted in secret a "select council," unknown to the law, in which the principal advisers were Hutchinson and Oliver, opposed all concession. Tranquillity, he assured the secretary of state, could not be restored by "lenient methods." "There will be no submission," reported he, "until there is a subjection. The people here occasionally talk very high of their power to resist Great Britain; but it is all talk. They talk of revolting from Great Britain in the most familiar manner, and declare that, though the British forces should possess themselves of the coast and maritime towns, they never will subdue the inland. But nothing can be more idle. New York and Boston would both be defenceless to a royal fleet; and, they being possessed by the king's forces, no other town or place could stand out. A forcible subjection is

unavoidable, let it cost what it will. The forces, when they come, should be respectable enough not to encourage resistance, that, when the people are taught they have a superior, they may know it effectually. I hope that New York, as well upon account of its superior rank and greater professions of resistance, and of its being the head-quarters, will have the honor of being subdued first."

1766. Jan.

CHAPTER XXI.

HAS PARLIAMENT THE RIGHT TO TAX AMERICA? ROCKINGHAM'S ADMINISTRATION CONTINUED.

JANUARY, 1766.

SIR JEFFREY AMHERST, in his advice to the ministry, strenuously opposed the repeal of the stamp act. During the recess of parliament, Egmont, Conway, Dowdeswell, Dartmouth, and Charles Yorke, met at the house of Rockingham. To modify, but not to repeal the American tax, and to enact the penalty of high treason against any one who, by speaking or writing, should impeach the legislative authority of parliament, were measures proposed in this assembly; but they did not prevail. The ministry could form no plan of mutual support, and decided nothing but the words of the speech. The world looked from them to an individual in private life, unconnected and poor, vainly seeking at Bath relief from infirmities that would have crushed a less hopeful mind. 1766. Jan.

The cabinet, therefore, yielding to Grafton and Conway, requested Pitt's advice to the measures as proper to be taken with regard to America, and expressed a desire, now or at any future time, for his reception among them as their head. This vague and indefinite offer of place, unsanctioned by the king, was but a concession from the aristocratic portion of the whigs to a necessity of seeking support. Pitt remembered the former treachery of Newcastle; and, being resolved never to accept office through him or his connections, he treated their invitation as an unmeaning compliment, declaring that he would support those, and those only, who acted on true revolution principles. The state of his health demanded quiet and absence from the chapel

of St. Stephen's, but the excitement of his mind gave him a respite from pain. "My resolution," said he, "is taken; and, if I can crawl or be carried, I will deliver my mind and heart upon the state of America."

1766. Jan. On the fourteenth of January, the king acquainted parliament that "matters of importance had happened in America, and orders been issued for the support of lawful authority." "Whatever remained to be done, he committed to their wisdom."

The lords in their reply, which was moved by Dartmouth, pledged their "utmost endeavors to assert and support the king's dignity, and the legislative authority of the kingdom over its colonies." The friends of the king and of the late ministry willingly agreed to words which seemed to imply the purpose of enforcing the stamp act.

The meeting of the house of commons was very full. The address submitted for their adoption was of no marked character, yet the speeches of the members who proposed it indicated the willingness of the administration to repeal the American tax. In the course of a long debate, Pitt entered most unexpectedly, having arrived in town that morning.

The adherents of the late ministry took great offence at the tenderness of expression respecting America. Nugent, particularly, insisted that the honor and dignity of the kingdom obliged them to compel the execution of the stamp act, except the right was acknowledged and the repeal solicited as a favor. He expostulated on the ingratitude of the colonies. He computed the expense of the troops employed in America for what he called its defence at ninepence in the pound of the British land-tax, while the stamp act would not raise a shilling a head on the inhabitants in America; "but," said he, "a peppercorn, in acknowledgment of the right, is of more value than millions without."

The eyes of all the house turned towards Pitt, as the venerable man rose in his place; and the Americans present in the gallery gazed at him as at the appearance of their good "angel, or their savior."

"I approve the address in answer to the king's speech; for it decides nothing, and leaves every member free to act as he will." Such was his opening sarcasm. 1766. Jan. "The notice given to parliament of the troubles was not early, and it ought to have been immediate.

"I speak not with respect to parties. I stand up in this place single, unsolicited, and unconnected. As to the late ministry," and he turned scornfully towards Grenville, who sat within one of him, "every capital measure they have taken is entirely wrong. To the present ministry, to those, at least, whom I have in my eye," looking at Conway and the lords of the treasury, "I have no objection. Their characters are fair. But pardon me, gentlemen. Youth is the season for credulity; confidence is a plant of slow growth in an aged bosom. By comparing events with each other, reasoning from effects to causes, methinks I discover the traces of overruling influences." This he said, referring to the Duke of Newcastle.

"It is a long time," he continued, "since I have attended in parliament. When the resolution was taken in the house to tax America, I was ill in bed. If I could have endured to have been carried in my bed, so great was the agitation of my mind for the consequences, I would have solicited some kind hand to have laid me down on this floor, to have borne my testimony against it. It is now an act that has passed. I would speak with decency of every act of this house, but I must beg indulgence to speak of it with freedom. The subject of this debate is of greater importance than ever engaged the attention of this house, that subject only excepted, when, nearly a century ago, it was a question whether you yourselves were to be bond or free. The manner in which this affair will be terminated will decide the judgment of posterity on the glory of this kingdom, and the wisdom of its government during the present reign.

"As my health and life are so very infirm and precarious that I may not be able to attend on the day that may be fixed by the house for the consideration of America, I must now, though somewhat unseasonably, leaving the expediency

of the stamp act to another time, speak to a point of infinite moment, I mean to the right. Some seem to have considered it as a point of honor, and leave all measures of right and wrong, to follow a delusion that may lead us to destruction. On a question that may mortally wound the freedom of three millions of virtuous and brave subjects beyond the Atlantic ocean, I cannot be silent. America, being neither really nor virtually represented in Westminster, cannot be held legally or constitutionally or reasonably subject to obedience to any money bill of this kingdom. The colonies are equally entitled with yourselves to all the natural rights of mankind and the peculiar privileges of Englishmen; equally bound by the laws, and equally participating of the constitution of this free country. The Americans are the sons, not the bastards of England. As subjects, they are entitled to the common right of representation, and cannot be bound to pay taxes without their consent.

"Taxation is no part of the governing power. The taxes are a voluntary gift and grant of the commons alone. In an American tax, what do we do? We, your majesty's commons of Great Britain, give and grant to your majesty — what? Our own property? No. We give and grant to your majesty the property of your majesty's commons in America. It is an absurdity in terms.

1766. Jan.

"There is an idea, in some, that the colonies are virtually represented in this house. They never have been represented at all in parliament; they were not even virtually represented at the time when this law, as captious as it is iniquitous, was passed to deprive them of the most inestimable of their privileges. I would fain know by whom an American is represented here? Is he represented by any knight of the shire, in any county of this kingdom? Would to God that respectable representation was augmented to a greater number. Or will you tell him that he is represented by any representative of a borough, — a borough which, perhaps, no man ever saw? This is what is called the rotten part of the constitution. It cannot endure the century. If it does not drop, it must be amputated. The idea of a virtual representation of America in this house is the most

contemptible that ever entered into the head of a man. It does not deserve a serious refutation.

"The commons of America, represented in their several assemblies, have ever been in possession of the exercise of this their constitutional right, of giving and granting their own money. They would have been slaves, if they had not enjoyed it. 1766. Jan.

"And how is the right of taxing the colonies internally compatible with that of framing regulations without number for their trade? The laws of this kind, which parliament is daily making, prove that they form a body separate from Great Britain. While you hold their manufactures in the most servile restraint, will you add a new tax to deprive them of the last remnants of their liberty? This would be to plunge them into the most odious slavery, against which their charters should protect them.

"If this house suffers the stamp act to continue in force, France will gain more by your colonies than she ever could have done, if her arms in the last war had been victorious.

"I never shall own the justice of taxing America internally until she enjoys the right of representation. In every other point of legislation, the authority of parliament is like the north star, fixed for the reciprocal benefit of the parent country and her colonies. The British parliament, as the supreme governing and legislative power, has always bound them by her laws, by her regulations of their trade and manufactures, and even in a more absolute interdiction of both. The power of parliament, like the circulation from the human heart, active, vigorous, and perfect in the smallest fibre of the arterial system, may be known in the colonies by the prohibition of their carrying a hat to market over the line of one province into another, or by breaking down a loom in the most distant corner of the British empire in America; and, if this power were denied, I would not permit them to manufacture a lock of wool or a horseshoe or a hobnail. But, I repeat, the house has no right to lay an internal tax upon America, that country not being represented.

"I know not what we may hope or fear from those now

in place; but I have confidence in their good intentions. I could not refrain from expressing the reflections I 1766. Jan. have made in my retirement, which I hope long to enjoy, beholding, as I do, ministries changed one after another, and passing away like shadows."

A pause ensued as he ceased, when Conway rose and spoke: "I not only adopt all that has just been said, but believe it expresses the sentiments of most, if not all, the king's servants, and wish it may be the unanimous opinion of the house. I have been accidentally called to the high employment I bear; I can follow no principles more safe or more enlightened than those of the perfect model before my eyes; and I should always be most happy to act by his advice, and even to serve under his orders. Yet, for myself and my colleagues, I disclaim an overruling influence. The notice given to parliament of the troubles in America was not early, because the first accounts were too vague and imperfect to be worth its attention."

"The disturbances in America," replied Grenville, who by this time had recovered self-possession, "began in July, and now we are in the middle of January; lately they were only occurrences; they are now grown to tumults and riots; they border on open rebellion; and, if the doctrine I have heard this day be confirmed, nothing can tend more directly to produce a revolution. The government over them being dissolved, a revolution will take place in America.

"External and internal taxes are the same in effect, and only differ in name. That this kingdom is the sovereign, the supreme legislative power over America, cannot be denied; and taxation is a part of that sovereign power. It is one branch of the legislation. It has been, and it is, exercised over those who are not, who were never, represented. It is exercised over the India company, the merchants of London, the proprietors of the stocks, and over many great manufacturing towns. It was exercised over the palatinate of Chester and the bishopric of Durham, before they sent any representatives to parliament. I appeal for proof to the preambles of the acts which gave them representatives, the one in the reign of Henry VIII.,

the other in that of Charles II." He then quoted the statutes exactly, and desired that they might be read; which being done, he resumed.

"To hold that the king, by the concession of a charter, can exempt a family or a colony from taxation by parliament, degrades the constitution of England. If the colonies, instead of throwing off entirely the authority of parliament, had presented a petition to send to it deputies elected among themselves, this step would have marked their attachment to the crown and their affection for the mother country, and would have merited attention. 1766. Jan.

"The stamp act is but the pretext of which they make use to arrive at independence. It was thoroughly considered, and not hurried at the end of a session. It passed through the different stages in full houses, with only one division on it. When I proposed to tax America, I asked the house if any gentleman would object to the right; I repeatedly asked it, and no man would attempt to deny it. Protection and obedience are reciprocal. Great Britain protects America; America is bound to yield obedience. If not, tell me when the Americans were emancipated? When they want the protection of this kingdom, they are always ready to ask it. That protection has always been afforded them in the most full and ample manner. The nation has run itself into an immense debt to give it them; and, now that they are called upon to contribute a small share towards an expense arising from themselves, they renounce your authority, insult your officers, and break out, I might almost say, into open rebellion.

"The seditious spirit of the colonies owes its birth to the factions in this house. We were told we trod on tender ground; we were bid to expect disobedience. What was this but telling the Americans to stand out against the law, to encourage their obstinacy with the expectation of support from hence? Let us only hold out a little, they would say; our friends will soon be in power.

"Ungrateful people of America! Bounties have been extended to them. When I had the honor to serve the crown, while you yourselves were loaded with an enormous

debt of one hundred and forty millions sterling, and paid a revenue of ten millions sterling, you have given bounties on their lumber, on their iron, their hemp, and many other articles. You have relaxed, in their favor, the act of navigation, that palladium of British commerce. I offered to do every thing in my power to advance the trade of America. I discouraged no trade but what was prohibited by act of parliament. I was above giving an answer to anonymous calumnies; but in this place it becomes me to wipe off the aspersion."

1766. Jan.

As Grenville ceased, several members got up; but the house clamored for Pitt, who seemed to rise. A point of order was decided in his favor, and the walls of St. Stephen's resounded with, "Go on! go on!"

"Gentlemen," he exclaimed in his fervor, while floods of light poured from his eyes, and the crowded assembly stilled itself into breathless silence; "sir," he continued, remembering to address the speaker, "I have been charged with giving birth to sedition in America. They have spoken their sentiments with freedom against this unhappy act, and that freedom has become their crime. Sorry I am to hear the liberty of speech in this house imputed as a crime. But the imputation shall not discourage me. It is a liberty I mean to exercise. No gentleman ought to be afraid to exercise it. It is a liberty by which the gentleman who calumniates it might and ought to have profited. He ought to have desisted from his project. The gentleman tells us America is obstinate; America is almost in open rebellion. I rejoice that America has resisted." At the word, the whole house started as though an electric spark had leapt through them all.

"I rejoice that America has resisted. If its millions of inhabitants had submitted, taxes would soon have been laid on Ireland; and, if ever this nation should have a tyrant for its king, six millions of freemen, so dead to all the feelings of liberty as voluntarily to submit to be slaves, would be fit instruments to make slaves of the rest.

"I come not here armed at all points with law cases and acts of parliament, with the statute-book doubled down in

dogs' ears, to defend the cause of liberty; if I had, I would myself have cited the two cases of Chester and Durham, to show that, even under arbitrary reigns, parliaments were ashamed of taxing a people without their consent, and allowed them representatives. Why did the gentleman confine himself to Chester and Durham? He might have taken a higher example in Wales, that was never taxed by parliament till it was incorporated. I would not debate a particular point of law with the gentleman, but I draw my ideas of freedom from the vital powers of the British constitution, not from the crude and fallacious notions too much relied upon, as if we were but in the morning of liberty. I can acknowledge no veneration for any procedure, law, or ordinance that is repugnant to reason and the first elements of our constitution; and," he added, sneering at Grenville, who was once so much of a republican as to have opposed the whigs, "I shall never bend with the pliant suppleness of some who have cried aloud for freedom, only to have an occasion of renouncing or destroying it. 1766. Jan.

"The gentleman tells us of many who are taxed, and are not represented, the India company, merchants, stockholders, manufacturers. Surely, many of these are represented in other capacities. It is a misfortune that more are not actually represented. But they are all inhabitants, and as such are virtually represented. Many have it in their option to be actually represented. They have connection with those that elect, and they have influence over them.

"Not one of the ministers who have taken the lead of government since the accession of King William ever recommended a tax like this of the stamp act. Lord Halifax, educated in the house of commons, Lord Oxford, Lord Orford, a great revenue minister, never thought of this. None of these ever dreamed of robbing the colonies of their constitutional rights. That was reserved to mark the era of the late administration.

"The gentleman boasts of his bounties to America. Are those bounties intended finally for the benefit of this kingdom? If they are, where is his peculiar merit to America? If they are not, he has misapplied the national treasures.

"If the gentleman cannot understand the difference between internal and external taxes, I cannot help it. But there is a plain distinction between taxes levied for the purposes of raising revenue, and duties imposed for the regulation of trade for the accommodation of the subject, although in the consequences some revenue may accidentally arise from the latter.

"The gentleman asks, When were the colonies emancipated? I desire to know when they were made slaves. But I do not dwell upon words. The profits to Great
1766. Jan. Britain from the trade of the colonies, through all its branches, is two millions a year. This is the fund that carried you triumphantly through the last war. The estates that were rented at two thousand pounds a year, threescore years ago, are at three thousand pounds at present. You owe this to America. This is the price that America pays you for her protection. And shall a miserable financier come with a boast that he can fetch a pepper-corn into the exchequer to the loss of millions to the nation? I dare not say how much higher these profits may be augmented. Omitting the immense increase of people in the northern colonies by natural population and the migration from every part of Europe, I am convinced the whole commercial system may be altered to advantage. Improper restraints have been laid on the continent in favor of the islands. Let acts of parliament in consequence of treaties remain; but let not an English minister become a custom-house officer for Spain, or for any foreign power.

"The gentleman must not wonder he was not contradicted, when, as the minister, he asserted a right of parliament to tax America. There is a modesty in this house which does not choose to contradict a minister. I wish gentlemen would get the better of it. If they do not, perhaps," he continued, glancing at the coming question of the reform of parliament, "the collective body may begin to abate of its respect for the representative. Lord Bacon has told me that a great question will not fail of being agitated at one time or another.

great deal has been said without doors of the strength

of America. It is a topic that ought to be cautiously meddled with. In a good cause, on a sound bottom, the force of this country can crush America to atoms. If any idea of renouncing allegiance has existed, it was but a momentary frenzy; and, if the case was either probable or possible, I should think of the Atlantic sea as less than a line dividing one country from another. The will of parliament, properly signified, must for ever keep the colonies dependent upon the sovereign kingdom of Great Britain. But on this ground of the stamp act, when so many here will think it a crying injustice, I am one who will lift up my hands against it. In such a cause, your success would be hazardous. America, IF she fell, would fall like the strong man; she would embrace the pillars of the state, and pull down the constitution along with her. 1766. Jan.

"Is this your boasted peace? Not to sheathe the sword in its scabbard, but to sheathe it in the bowels of your brothers, the Americans? Will you quarrel with yourselves, now the whole house of Bourbon is united against you? The Americans have not acted in all things with prudence and temper. They have been driven to madness by injustice. Will you punish them for the madness you have occasioned? Rather let prudence and temper come first from this side. I will undertake for America that she will follow the example.

Be to her faults a little blind;
Be to her virtues very kind.

"Upon the whole, I will beg leave to tell the house what is really my opinion. It is that the stamp act be repealed, absolutely, totally, and immediately; that the reason for the repeal be assigned, because it was founded on an erroneous principle. At the same time, let the sovereign authority of this country over the colonies be asserted in as strong terms as can be devised, and be made to extend to every point of legislation, that we may bind their trade, confine their manufactures, and exercise every power whatsoever, except that of taking their money out of their pockets without their consent.

"Let us be content with the advantages which Provi-

dence has bestowed upon us. We have attained the highest glory and greatness; let us strive long to preserve them for our own happiness and that of our posterity."

Thus he spoke, with fire unquenchable; "like a man inspired;" greatest of orators, for his words opened the gates of futurity to a better culture. His manner was impassioned; and there was truth in his arguments, that were fitly joined together: so that his closely woven speech was as a chain cable in a thunder-storm, along which the lightning pours its flashes, touching the links of iron with its brightest flame. Men in America, for the moment, paid no heed to the assertion of parliamentary authority to bind manufactures and trade; it was enough that the great commoner had, in the house of commons, thanked God for America's resistance.

1776. Jan.

On the next day, Grafton advised the king to send for Pitt. Had this been done, and had his opinion on American affairs prevailed, who can tell into what distant age the question of American independence would have been adjourned? But, at seven o'clock in the evening of the sixteenth, Grafton was suddenly summoned to the palace. The king was in that state of "extreme agitation" which afflicted him when he was thwarted; and, avowing designs leading to a change of ministry of a different kind, he commanded the duke to carry no declaration from him to Pitt. Two hours later, he gave an audience to Charles Townshend, whom he endeavored, though ineffectually, to persuade to take a principal part in forming a new administration. The Duke of Grafton, nevertheless, himself repaired to Pitt, and sought his confidence. "The differences in politics between Lord Temple and me," said the commoner, "have never till now made it impossible for us to act on one plan. The difference upon this American measure will, in its consequences, be felt for fifty years at least." He proposed to form a proper system with the younger and better part of the ministry, if they would willingly co-operate with him. Honors might be offered the Duke of Newcastle, but not a place in the cabinet. "I see with pleasure," said he, "the present administration take the places of the last. I

came up upon the American affair, a point on which I feared they might be borne down."

Of this conversation, Grafton made so good a use that, on the eighteenth, by the king's direction, he and Rockingham waited on Pitt, who once more expressed his readiness to act with those now in the ministry, yet with some "transposition of places." At the same time, he dwelt on the disgrace brought on the nation by the recall of Lord George Sackville to the council, declaring over and over that his lordship and he could not sit at the council board together. 1766. Jan.

But no sooner had Pitt consented to renounce his connection with Temple and unite with the ministry, than Rockingham threw in objections, alike of a personal nature and of principle. The speechless prime minister, having tasted the dignity of chief, did not wish to be transposed; and the principle of "giving up all right of taxation over the colonies," on which the union was to have rested, had implacable opponents in the family of Hardwicke, in his own private secretary, and in Rockingham himself. "If ever one man lived more zealous than another for the supremacy of parliament and the rights of the imperial crown, it was Edmund Burke." He was the advocate "of an unlimited legislative power over the colonies." "He saw not how the power of taxation could be given up, without giving up the rest." If Pitt was able to see it, Pitt "saw further than he could." His wishes were "very earnest to keep the whole body of this authority perfect and entire." He was "jealous of it;" he was "honestly of that opinion;" and Rockingham, after proceeding so far, and finding in Pitt all the encouragement that he expected, let the negotiation drop. Conway and Grafton were compelled to disregard their own avowals on the question of the right of taxation; and the ministry conformed to the opinion of Charles Yorke and Edmund Burke.

Neglected by Rockingham, hated by the aristocracy, and feared by the king, Pitt pursued his career alone. In the quiet of confidential intercourse, he inquired if fleets and armies could reduce America, and heard from a friend that

the Americans would not submit, that they would still have their woods and liberty. Thomas Hollis sent to him the essay of John Adams on the canon and feudal law; he read it, and pronounced it "indeed masterly."

Of the papers from the American congress, Conway did not scruple to present the petition to the king; and George Cooke, the member for Middlesex, was so pleased with the one to the commons that, on the twenty-seventh, he offered it to the house, where he read it twice over. Jenkinson opposed receiving it, as did Nugent and Welbore Ellis. "The American congress at New York," they argued, "was a dangerous and federal union, unconstitutionally assembled without any requisition on the part of the supreme power."

1766. Jan.

"It is the evil genius of this country," replied Pitt, "that has riveted among them the union now called dangerous and federal. The colonies should be heard. The privilege of having representatives in parliament, before they can be taxed internally, is their birthright. This question, being of high concern to a vast empire rising beyond the sea, should be discussed as a question of right. If parliament cannot tax America without her consent, the original compact with the colonies is actually broken. The decrees of parliament are not infallible; they may be repealed. Let the petition be received as the first act of harmony, and remain to all posterity on the journals of this house."

Conway adhered to the opinions of Pitt on the subject of taxation, but thought the rules of the house forbade the reception of the petition.

Sir Fletcher Norton, in great heat, denounced the distinction between internal and external taxation, as a novelty unfounded in truth, reason, or justice, unknown to their ancestors, whether as legislators or judges; a whim that might serve to point a declamation, but abhorrent to the British constitution. "Expressions," said he, "have fallen from that member now, and on a late similar occasion, which make my blood run cold even at my heart. I say, he sounds the trumpet to rebellion. Such language in other days, and even since the morning of freedom, would

have transported that member out of this house into another, with more leisure for better reflections." Pitt silently fixed his eye on him, with an air of contempt, from which Norton knew no escape but by an appeal for protection to the speaker.

Edmund Burke, speaking for the first time in the house of commons, advocated the reception of the petition, as in itself an acknowledgment of the jurisdiction of the house; while Charles Townshend, in a short speech, treated the line drawn between external and internal taxation as "the ecstasy of madness."

An hour before midnight, Lord John Cavendish avoided a defeat on a division, by moving the orders of the day; while Conway assured the American agents of his good-will, and the speaker caused the substance of the petition to be entered on the journals. 1766. Jan.

The reading of papers and examination of witnesses continued during the month, in the utmost secrecy. The evidence, especially of the riots in Rhode Island and New York, produced a very unfavorable effect. On the last day of January, the ministry, on a division respecting an election for one of the boroughs in Scotland, in a very full house had only a majority of eleven. The grooms of the bed-chamber, and even Lord George Sackville, voted against them; whilst Charles Townshend, the paymaster, declined to vote at all. On the same day, Bedford and Grenville were asked if, on Bute's opening the door, they were ready to negotiate for a change of administration; and they both sent word to the king that his order would be attended to, with duty and respect, through "whatever channel it should come."

Had Pitt acceded to the administration, he would have made the attempt to convince the nation of the expediency of "giving up all right of taxation over the colonies." Left to themselves, with the king against them and the country gentlemen wavering, the ministers, not perceiving the concession to be a certain sign of expiring power, prepared a resolution that "the king in parliament has full power to bind the colonies and people of America, in all cases whatsoever."

CHAPTER XXII.

PARLIAMENT AFFIRMS ITS RIGHT TO TAX AMERICA. ROCKINGHAM'S ADMINISTRATION CONTINUED.

THE THIRD OF FEBRUARY, 1766.

IT was the third day of February, when the Duke of Grafton himself offered in the house of lords the 1766. Feb. resolution, which was in direct contradiction to his wishes. Shelburne proposed to repeal the stamp act, and avoid the question of right.

"If you exempt the American colonies from one statute or law," said Lyttelton, "you make them independent communities. If opinions of this weight are to be taken up and argued upon through mistake or timidity, we shall have Lycurguses and Solons in every coffee-house, tavern, and gin-shop in London. Many thousands in England who have no vote in electing representatives will follow their brethren in America in refusing submission to any taxes. The commons will with pleasure hear the doctrine of equality being the natural right of all; but the doctrine of equality may be carried to the destruction of this monarchy."

Lord Temple treated as a jest his brother-in-law's distinction in regard to internal taxation. "Did the colonies," he continued, "when they emigrated, keep the purse only, and give up their liberties?" And he cited Shakspeare to prove that "who steals a purse steals trash;" then, advising the lords to firmness towards the colonies, he concluded with an admonition from Tacitus.

"The question before your lordships," said Camden, "concerns the common rights of mankind. The resolution now proposed gives the legislature an absolute power of laying any tax upon America. In my opinion, my lords, the legis-

lature had no right to make this law. When the people consented to be taxed, they reserved to themselves the power of giving and granting by their representatives. The colonies, when they emigrated, carried their birthright with them; and the same spirit of liberty still pervades the new empire." He proceeded to show, from the principles and precedents of English law, that none could be taxed unless by their representatives; that the clergy, the counties palatine, Wales, Calais, and Berwick, were never taxed till they sent members to parliament; that Guernsey and Jersey send no members, and are not taxed; and, dwelling particularly on the case of Ireland, he cited the opinion of Chief Justice Hale, that Great Britain had no power to raise subsidies in Ireland. But, supposing the Americans had no exclusive right to tax themselves, he maintained it would be good policy to give it them. This he argued as a question of justice; for, in the clashing interests of the mother country and the colonies, every Englishman would incline against them. This, too, he supported, as the only means of maintaining their dependence; for America felt that she could better do without England than England without America; and he reminded the house that inflexibility lost to the court of Vienna the dominion of the Low Countries. 1766. Feb.

Thus he reasoned in a strain of eloquence, which Pitt called divine. With Benjamin Franklin for one of his listeners, Northington very shortly replied: "I cannot sit silent, upon doctrines being laid down so new, so unmaintainable, and so unconstitutional. In every state, there must be a supreme dominion; every government can arbitrarily impose laws on all its subjects, by which all are bound; and resistance to laws that are even contrary to the benefit and safety of the whole is at the risk of life and fortune.

"I seek for the constitution of this kingdom no higher up than the revolution, as this country never had one before; and, in the reign of King William, an act passed, avowing the power of this legislature over the colonies. The king cannot suspend the stamp act; he is sworn by his

coronation oath to do the contrary. But, if you should concur as to the expediency of repeal, you will have twelve millions of your subjects of Great Britain and Ireland at your doors, not making speeches, but using club law.

"My lords, what have these favorite Americans done? They have sent deputies to a meeting of their states at New York, by which" — and, as he spoke, he appealed personally to Mansfield and Camden — "I declare, as a lawyer, they have forfeited all their charters. My lords, the colonies are become too big to be governed by the laws they at first set out with. They have therefore run into confusion, and it will be the policy of this country to form a plan of laws for them. If they withdraw allegiance, you must withdraw protection; and then the petty state of Genoa or the little kingdom of Sweden may run away with them."

Next rose Mansfield, to whose authority the house of lords paid greater deference than to that of any man living. To him belonged the sad office of struggling to preserve the past, in which success is impossible; for nature flows on, and is never at rest. He performed his office earnestly and sincerely; though he entered public life as a whig, he was jealous of popular privileges or influence, and stood ready to serve the cause of power, even without sharing it. Cautious even to timidity, his understanding was clear, but his heart was cold. The childless man had been unsuccessful in love, and formed no friendships. His vast accumulations of knowledge, which a tenacious memory stored up in its hundred cells, were ever ready to come forward at his summons. The lucid order of his arrangement assisted to bring conviction; and he would readily expound the most mysterious intricacies of law, or analyze the longest series of reasonings and evidence, with an intelligent smile on his features that spoke plainly the perfect ease with which he did it. In subtlety, he had no equal; ornament seemed to flow so naturally from his subject that, while none could speak with more elegance, it seemed impossible for him to speak with less. In grace and dignity, not even imagination could paint any thing superior to him. His countenance

1766. Feb.

was beautiful, inspiring reverence and regard; his eye gleaming with light; his voice acutely clear, yet varied and musical. He had been a member of the cabinet when the plan of the stamp act was adopted; his legal opinion lay at its foundation; and he now vindicated its rightfulness, of which he saw clearly that the denial not merely invited America to independence, but also invoked changes in the British constitution. 1766. Feb.

"My lords," said he, speaking for two hours and a half, in reply to Camden, as he himself says, without special premeditation, and showing by his familiarity with the subject, as well as his taking the lead in the discussion, how intimately he was connected with the policy he defended, "my lords, I shall speak to the question strictly as a matter of right. I shall also speak to the distinctions which have been taken, without any real difference, as to the nature of the tax; and I shall point out lastly the necessity there will be of exerting the force of the superior authority of government, if opposed by the subordinate part of it.

"I am extremely sorry that the question has ever become necessary to be agitated, and that there should be a decision upon it. No one in this house will live long enough to see an end put to the mischief which will be the result of the doctrine that has been inculcated; but the arrow is shot, and the wound already given.

"All arguments fetched from Locke, Harrington, and speculative men, who have written upon the subject of government, the law of nature, or of other nations, are little to the purpose; for we are not now settling a new constitution, but finding out and declaring the old one.

"The doctrine of representation seems ill-founded; there are twelve millions of people in England and Ireland who are not represented. The parliament first depended upon tenures; representation by election came by the favor of the crown; and the notion now taken up, that every subject must be represented by deputy, is purely ideal. The doctrine of representation never entered the heads of the great writers in Charles I.'s time against ship money or other illegal exertions of the prerogative, nor was the right of

representation claimed in the petition of rights at the great era of the revolution.

"The colonists," thus he continued, after having answered one by one the writs and records quoted by Lord Camden, the arguments fetched from the Marches of Wales, from the counties palatine, from Guernsey and Jersey, from the case of the clergy, as well as those drawn from the colonies of antiquity, and from the states of Holland, "the colonists, by the condition on which they migrated, settled, and now exist, are more emphatically subjects of Great Britain than those within the realm; and the British legislature have, in every instance, exercised their right of legislation over them without any dispute or question, till the fourteenth of January last.

1766. Feb.

"Our colonies emigrated under the sanction of the crown and parliament, upon the terms of being subjects of England. They were modelled gradually into their present forms, by charters, grants, and statutes; but they were never separated from the mother country, or so emancipated as to become their own masters. The very idea of a colony implies subordination and dependence, to render allegiance for protection. If they are not subjects, they ought to pay duties as aliens. The charter colonies had among their directors members of the privy council and of both houses of parliament, and were under the authority of the privy council. In the nineteenth year of James I., a doubt was thrown out in the house of commons whether parliament had any thing to do with America, and the doubt was immediately answered by Coke. The rights of Maryland were, by charter, coextensive with those of any bishop of Durham in that county palatine; and the statute-book shows that Durham was taxed by parliament before it was represented. The commonwealth parliament passed a resolution or act, and it is a question whether it is not in force now, to declare and establish the authority of England over its colonies. The charter of Pennsylvania, who have preposterously taken the lead," and Franklin was present to hear this, "is stamped with every badge of subordination, and a particular saving as to all English acts of parliament. Could the king's bench

vacate the Massachusetts charter, and yet the parliament be unable to tax them? Do they say this, when they themselves acquiesced in the judgment, and took a new charter?

"In 1724, the assembly of Jamaica having refused to raise taxes for their necessary support, the late Lord Hardwicke, then attorney-general, and Sir Clement Wearg, solicitor-general, gave their opinion that, if Jamaica is to be considered as a conquered country, the king may tax it by his own authority: if otherwise, it must be by the British legislature. 1766. Feb.

"Let the advocates for America draw their line. Let them move their exception, and say how far the sovereignty of the British parliament should go, and where it should stop. Did the Americans keep the right of the purse only, and not of their persons and their liberties?

"But if there was no express law, or reason founded upon any necessary inference from an express law, yet the usage alone would be sufficient to support that authority of England over its colonies; for have they not submitted, ever since their first establishment, to the jurisdiction of the mother country? In all questions of property, the appeals from them have been to the privy council here; and such causes have been determined not by their laws, but by the law of England. They have been obliged to recur very frequently to the jurisdiction here to settle the disputes among their own governments.

"The colonies must remain dependent upon the jurisdiction of the mother country, or they must be totally dismembered from it, and form a league of union among themselves against it, which could not be effected without great violences. No one ever thought the contrary, till now the trumpet of sedition has been blown. It is sufficient to turn over the index to the statute-book to show that acts of parliament have been made not only without a doubt of their legality, but with universal applause, the great object of which has been ultimately to fix the trade of the colonies so as to centre in the bosom of that country from which they took their original. The navigation act shut up their intercourse with foreign countries. Their ports have been

made subject to customs and regulations, which have cramped and diminished their trade; and duties have been laid affecting the very inmost parts of their commerce. Such were the post-office acts; the act for recovering debts in the plantations; the acts for preserving timber and white pines; the paper currency act. The legislature have even gone so low as to restrain the number of hatters' apprentices in America, and have, in innumerable instances, given the forfeitures to the king. Yet all these have been submitted to peaceably; and no one ever thought till now of this doctrine, that the colonies are not to be taxed, regulated, or bound by parliament. This day is the first time we have heard of it in this house.

1766. Feb.

"There can be no doubt, my lords, that the inhabitants of the colonies are as much represented in parliament as the greatest part of the people of England are represented, among nine millions of whom there are eight who have no votes in electing members of parliament. Every objection, therefore, to the dependency of the colonies upon parliament, which arises to it upon the ground of representation, goes to the whole present constitution of Great Britain; and I suppose it is not meant to new model that too! People may form their own speculative ideas of perfection, and indulge their own fancies or those of other men. Every man in this country has his particular notions of liberty; but perfection never did, and never can, exist in any human institution. For what purpose, then, are arguments drawn from a distinction in which there is no real difference, of a virtual and actual representation? A member of parliament, chosen by any borough, represents not only the constituents and inhabitants of that particular place, but he represents the inhabitants of every other borough in Great Britain. He represents the city of London and all other the commons of this land, and the inhabitants of all the colonies and dominions of Great Britain; and is in duty and in conscience bound to take care of their interests.

"The noble lord, who quoted so much law, and denied upon those grounds the right of the parliament of Great Britain to lay internal taxes upon the colonies, allowed at

the same time that restrictions upon trade and duties upon the ports were legal. But I cannot see a real difference in this distinction; for I hold it to be true that a tax laid in any place is like a pebble falling into and making a circle in a lake, till one circle produces and gives motion to another, and the whole circumference is agitated from the centre. A tax on tobacco, either in the ports of Virginia or London, is a duty laid upon the inland plantations of Virginia, a hundred miles from the sea, wheresoever the tobacco grows. 1766. Feb.

"The legislature properly interposed for the purpose of a general taxation, as the colonies would never agree to adjust their respective proportions amongst themselves.

"I do not deny that a tax may be laid injudiciously and injuriously, and that people in such a case may have a right to complain; but the nature of the tax is not now the question: whenever it comes to be one, I am for lenity. I would have no blood drawn. There is, I am satisfied, no occasion for any to be drawn. A little time and experience of the inconveniences and miseries of anarchy may bring people to their senses. Anarchy always cures itself; but the fermentation will continue so much the longer, while hot-headed men there find that there are persons of weight and character to support and justify them here.

"Indeed, if the disturbances should continue for a great length of time, force must be the consequence, an application adequate to the mischief, and arising out of the necessity of the case; for force is only the difference between a superior and subordinate jurisdiction. In the former, the whole force of the legislature resides collectively; and, when it ceases to reside, the whole connection is dissolved. It will indeed be to very little purpose that we sit here enacting laws or making resolutions, if the inferior will not obey them, or if we neither can nor dare enforce them; for then, of necessity, the matter comes to the sword. If the offspring are grown too big and too resolute to obey the parent, you must try which is the strongest, and exert all the powers of the mother country to decide the contest.

"Time and a wise and steady conduct may prevent those

extremities which would be fatal to both. Interest very soon divides mercantile people; and although there may be some mad, enthusiastic, or ill-designing people in the colonies, yet I am convinced that the greatest bulk, who have understanding and property, are still well affected to the mother country. The resolutions in the most of the assemblies have been carried by small majorities, and in some by one or two only. · You have, my lords, many friends still in the colonies; take care that you do not, by abdicating your own authority, desert them and yourselves, and lose them for ever.

1766. Feb.

"You may abdicate your right over the colonies: take care, my lords, how you do so, for such an act will be irrevocable. Proceed then, my lords, with spirit and firmness, and, when you shall have established your authority, it will then be a time to show your lenity. The Americans, as I said before, are a very good people, and I wish them exceedingly well; but they are heated and inflamed. I cannot end better than by saying, in the words of Maurice, Prince of Orange, concerning the Hollanders, 'God bless this industrious, frugal, well-meaning, but easily deluded people!'"

The house of lords accepted the argument of Mansfield as unanswerable; and, when the house divided, only five peers, Camden, Shelburne, the young Cornwallis, destined to a long and checkered career, Torrington, and Paulet, went down below the bar. These five began a strife for reform, which the child that was unborn would rue or would bless. The rest of the peers, one hundred and twenty-five in number, saw with derision the small number of the visionaries. As for Camden himself, they said Mansfield had utterly prostrated him.

Even while Mansfield was explaining to the house of lords that the American theory of representation included in its idea a thorough reform of the British house of commons, George III. was led to offer a pension of a hundred guineas a year to the Genevese republican, Jean Jacques Rousseau, who had just then arrived in England, a fugitive from France, where his works were condemned to be burnt

by the hands of the executioner, and he himself was in peril of imprisonment. The drift of his writings was not well understood, and no one foreboded the extent of their influence. But he was come among a people very unlike himself, and the illusion that hung round the celebrated author soon gave way to disgust at his vile connections, and indifference to the sorrows of his sensitive and suspicious nature. So he pined in neglect, no object of terror to the aristocracy or the crown. Yet the exile, then writhing under the pangs of wounded vanity, was to stand forth in the world's history more conspicuously than Mansfield. The one cherished feudalism as the most perfect form of government that had ever been devised; the other pleaded for its destruction, as an unjust and absurd system, in which the human race was degraded and the name of man was in dishonor. Both hurried forward revolution: the counsels of the former drove America to form for the world's example a government truly representing the people; the other was so to touch the French nation in convention with the flame of his humane but jealous, impatient, and dogmatic spirit, as to light up European wars between the new and the old, continuously, for a generation. 1766. Feb.

In the commons, the resolution was presented by Conway, who, at the time of passing the stamp act, had denied the right of parliament to impose the tax, and twice within twenty days had reiterated that opinion. He now treated the question of power as a point of law, which parliament might take up. For himself, he should never be for internal taxes. He would sooner cut off his right hand than sign an order for sending out a force to maintain them. Yet he begged not to be understood to pledge himself for future measures, not even for the repeal of the stamp act. "When he comes to move resolutions of repeal," said Grenville's friends, "he will have in his pocket another set of resolutions of an opposite character."

Dowdeswell, the chancellor of the exchequer, defended the proposition in its fullest extent. Parliament might change the charters of the colonies, and, much more, might tallage them; though, in point of policy, justice, or equity,

it was a power that ought to be exercised in the most extraordinary cases only.

1766. Feb. Barré moved to strike out from the resolution the words "in all cases whatsoever." He was seconded by Pitt, and sustained by Beckford. They contended that American taxation by parliament was against the spirit of the British constitution; against the authority of Locke and the principles of the Revolution of 1688; against the right of the colonists to enjoy English liberty; against the inherent distinction between taxation and legislation, which pervaded modern history; against the solemn compacts which parliament itself had recognised as existing between the crown and the colonies; against the rights of the American assemblies, whose duty it ever is to obtain redress of material grievances before making grants of money, and whose essence would be destroyed by a transfer from them of the powers of taxation; against justice, for Great Britain could have interests conflicting with those of the colonies; against reason, for the assemblies of the colonists could know their own abilities and circumstances better than the commons of England; against good policy, which could preserve America only as Rome had preserved her distant colonies, not by the number of its legions, but by lenient magnanimity.

Only three men, or rather Pitt alone, "debated strenuously the rights of America" against more than as many hundred; and yet the house of commons, half-conscious of the fatality of its decision, was so awed by the shadow which coming events cast before them that it seemed to shrink from pronouncing its opinion. Edmund Burke, eager to add glory as an orator to his just renown as an author, argued for England's right in such a manner that the strongest friends of power declared his speech to have been "far superior to that of every other speaker;" while Grenville, Yorke, and all the lawyers, — the temperate Richard Hussey, who yet was practically for humanity and justice; Blackstone, the commentator on the laws of England, who still disliked internal taxation of America by parliament; the selfish, unscrupulous, unrelenting Wedderburn, — filled many hours

with solemn arguments for England's unlimited supremacy. They persuaded one another and the house that the charters which kings had granted were, by the unbroken opinions of lawyers, from 1689, subordinate to the good-will of the houses of parliament; that parliament, for a stronger reason, had power to tax, — a power which it had been proposed to exert in 1713, while Harley was at the head of the treasury, and again at the opening of the seven years' war.

It was further contended that representation was not the basis of the authority of parliament, and did not exist; that the kingdom and colonies were one empire; that the colonies enjoyed the opportunity of taxing themselves, as an indulgence; that the exemption from taxation, when conceded to the counties palatine, Chester, Durham, and Lancaster, or Wales, or Ireland, or the clergy, was exceptional; that duties and impositions, taxes and subsidies, were all one; and, as kingdom and colonies were one body, parliament had the right to bind the colonies by taxes and impositions, alike internal and external, in all cases whatsoever. 1766. Feb.

So the watches of the long winter's night wore away; and at about four o'clock in the morning, when the question was called, less than ten voices, some said five or four, some said but three, spoke out in the minority; "and the resolution passed for England's right to do what the treasury pleased with three millions of freemen in America." The Americans were henceforward excisable and taxable at the mercy of parliament. Grenville stood acquitted and sustained, the rightfulness of his policy was affirmed; and he was judged to have proceeded in conformity with the constitution.

Thus did Edmund Burke and the Rockingham ministry on that night lead Mansfield, Northington, and the gentlemen of the long robe to found the new tory party of England, and recover legality for its position, stealing it away from the party that hitherto, under the revolution, had possessed it exclusively. It was decided, as a question of law, that irresponsible taxation was not a tyranny, but a vested right; that parliament held legislative power, not as a representa-

tive body, but in absolute trust. It had grown to be a fact that the house of commons was no longer responsible to the people; and this night it was held to be the law that it never had been, and was not, responsible; that the doctrine of representation was not in the bill of rights. The tory party, with George III. at its head, accepted from Burke and Rockingham the creed which Grenville claimed to be the whigism of the Revolution of 1688, and Mansfield the British constitution of his times.

1766. Feb.

In England, it was all over with the middle age. There was to be no more zeal for legitimacy at home, no more union of the Catholic Church and the sceptre. The new toryism was the child of modern civilization. It carried its pedigree no further back than the Revolution of 1688, and was but a coalition of the king and the aristocracy upon the basis of the established law. By law, the house of Hanover held the throne; by law, the English church was established, with a prayer-book and a creed as authorized by parliament, and with such bishops as the crown gave leave to choose; by law, the Catholics and dissenters were disfranchised, and none but conformers to the worship of the legal church could hold office or sit in the legislature; by law, the house of commons was lifted above responsibility to the people; by law, the colonies were "bound" to be taxed at mercy. The tory party took the law as it stood, and set itself against reform. Henceforward its leaders and lights were to be found not among the gallant descendants of ancient houses, not among the representatives of mediæval traditions. It was a new party, of which the leaders and expounders were to be new men. The moneyed interest, so firmly opposed to the legitimacy and aristocracy of the middle age, was to become its ally. Mansfield was its impersonation, and would transmit it, through Thurlow, to Eldon and the Boston-born Copley.

It is the office of law to decide questions of possession. Woe hangs over the land where the absolute principles of private right are applied to questions of public law; and the effort is made to bar the progress of the undying race by the despotic rules which ascertain the property of evanes-

cent mortals. Humanity smiled at the parchment chains which the lawyers threw around her, even though those chains were protected by a coalition of the army, the navy, the halls of justice, a corrupt parliament, and the crown. The new tory party created a new opposition. The non-electors of Great Britain were to become as little content with virtual representation as the colonists. 1766. Feb. Already the press of London gave to the world a very sensible production, showing the equity and practicability of a more equal representation throughout the whole British dominions; and also a scheme for a general parliament, to which every part of them should send one member for every twenty thousand of its inhabitants.

CHAPTER XXIII.

THE REPEAL OF THE STAMP ACT. ROCKINGHAM'S ADMINISTRATION CONTINUED.

FEBRUARY, 1766.

THE Sons of Liberty, acting spontaneously, were steadily advancing towards an organization, which should embrace the continent. In February, those in Boston, and in many towns in Massachusetts, acceded to the association of Connecticut and New York, and joined in urging a continental union. They of Portsmouth, in New Hampshire, pledged themselves to the same measures. In Connecticut, the patriots of Norwich welcomed the plan; and a convention of almost all the towns of Litchfield county resolved that the stamp act was unconstitutional, null, and void, and that business of all kinds should go on as usual. The hum of domestic industry was heard more and more: young women would get together, and merrily and emulously drive the spinning-wheel from sunrise till dark; and every day the humor spread for being clad in homespun.

1766. Feb.

Cheered by the zeal of New England, the Sons of Liberty of New York sent circular letters as far as South Carolina, inviting to the formation of a permanent continental union. But the summons was not waited for. The people of South Carolina grew more and more hearty against the stamp act. "We are a very weak province," reasoned Christopher Gadsden, "yet a rich growing one, and of as much importance to Great Britain as any upon the continent; and a great part of our weakness, though at the same time 'tis part of our riches, consists in having such a number of slaves amongst us; and we find in our case, according to the general perceptible workings of Providence, where the crime most

commonly, though slowly, yet surely, draws down a similar and suitable punishment, that slavery begets slavery. Jamaica and our West India Islands demonstrate this observation, which I hope will not be our case now, whatever might have been the consequence, had the fatal attempt been delayed a few years longer, when we had drunk deeper of the Circean draught, and the measures of our iniquities were filled up. I am persuaded, with God's blessing, we shall not fall, nor disgrace our sister colonies at this time." 1766. Feb.

The associated freeholders and inhabitants of several of the counties of North Carolina mutually plighted their faith and honor that they would, at any risk whatever, and whenever called upon, unite, and truly and faithfully assist each other to the best of their power in preventing entirely the operation of the stamp act.

In the Ancient Dominion, men pledged themselves to one another for the same purpose, with equal ardor; and, in case an attempt should be made to arrest an associate, they bound themselves, at the utmost risk of their lives and fortunes, to restore such associate to liberty. The magistrates composing the court for Northampton unanimously decided that the stamp act did not bind the inhabitants of Virginia, and that no penalties would be incurred by those who should transact business as before. The great lawyer Edmund Pendleton, of Caroline county, gave the opinion that "the stamp act was void for want of constitutional authority in parliament to pass it."

On Tuesday, the fourth of February, the party of Bedford and the old ministry of Grenville coalesced with the friends of prerogative in the house of lords to exercise over the colonies the power which it had just been resolved that parliament rightfully possessed. The ministry desired to recommend to them to compensate the sufferers by the American riots. The new tory party, by a vote of sixty-three to sixty, changed the recommendation into a parliamentary requisition.

The next morning, Rockingham and Grafton, much irritated, went to court and proposed the removal from office

of one or two of those most hostile to their ministry; but the king refused his assent.

On the night of the fifth, the same question came up in the house of commons, where Pitt spoke at length, with tact and gentleness; and the house, with considerable unanimity, contented itself with changing the proposition of the ministry into a resolution declaratory of its opinion.

The house of lords nevertheless persevered; and, on the sixth, it attracted the world to witness its proceedings. To keep up appearances, Bute rose and declared "his most lively attachment to the person of the king, yet the interest of his country must weigh with him more than any other consideration; the king himself would not blame him or other lords for obeying the dictates of their conscience on important affairs of state." Encouraged by this indirect promise of the king's good-will, the new coalition, after a solemn debate, carried a vote of fifty-nine against fifty-four, in favor of executing the stamp act. For the house of lords now to consent to its repeal would in some sort be an abdication of its co-ordinate authority with the commons.

1766. Feb. Once more, on the morning of the seventh, Rockingham, forgetting alike the principles of the old whig party and of the British constitution, which forbid the interference of the king with the legislature, hurried to court, and this time asked and obtained leave to say that the king was for the repeal; and he made haste to spread the intelligence.

The evening of that same day, Grenville, to test the temper of the house, made a motion for the execution of all acts.

With instant sagacity, Pitt, who at the time was far too ill to be in the house, and yet was impelled by a sense of duty to be present, seized the advantage thus offered, and called on the house, not to order the enforcement of the stamp act, before they had decided the question of repeal. The request was reasonable, was pressed by him with winning candor and strength of argument, and commended itself to the good sense and generous feeling of the independent members of the house.

"I shudder at the motion," cried the aged General

Howard, while the crowded house listened as if awed into silence; "I hope it will not succeed, lest I should be ordered to execute it. Before I would imbrue my hands in the blood of my countrymen, who are contending for English liberty, I would, if ordered, draw my sword, but would sooner sheathe it in my own body." Nugent argued that giving way would infuse the spirit of resistance into the Irish. Charles Townshend praised the general purport of Grenville's proposal, and yet censured him vehemently for anticipating the decision of the house. Grenville remained obdurate, and denounced curses on the ministers who should sacrifice the sovereignty of Great Britain over her colonies. He had expected great support: Sandwich had estimated the strength of the Bedfords at one hundred and thirty; their new allies had claimed to be eighty or ninety; and now, though Lord Granby and all the Scotch and the king's friends voted with him, the motion was rejected, in a very full house, by more than two to one.

The king, when informed of this great majority, 1766. Feb. was more deeply affected than ever before; and authorized Lord Strange, chancellor of the duchy of Lancaster, "to say that he was for a modification of the stamp act, but not for a repeal of it."

The opponents of concession now claimed for their side the name of the king, whose opinions they declared that Rockingham had misrepresented. The irritated chief summoned the author of the rumor to meet him at the palace. There, on the twelfth, they went into the closet alternately, two or three times each, to reconcile the seeming contradiction. For fear of mistakes, Rockingham wrote with a pencil these words: "Lord Rockingham was authorized by his majesty, on Friday last, to say that his majesty was for the repeal." "It is very true," said the king, as he read the paper; "but I must make an addition to it;" upon which he took a pen, and wrote at the end of it, "the conversation having been only concerning that or enforcing." He added: "I desire you would tell Lord Strange that I am now, and have been heretofore, for modification." So Rockingham was disavowed, and the opposition declared

more than ever that the ministers counterfeited as well as prostituted the sentiments of the king, whose unwritten word they would not trust, and whose written word convicted them of falsehood.

1766. Feb. On the same day, Bedford and Grenville went to an interview with Bute, for whom it was a proud moment to find his aid solicited by his bitterest personal enemies. He desired that the past might be buried in oblivion, and that all honest men might unite; but he refused to enter upon any conference on the subject of a new administration. The Duke of York interposed his offices, and bore to the king the Duke of Bedford's "readiness to receive the royal commands, should his majesty be inclined to pursue the modification instead of the total repeal of the stamp act." But the king, who was resolved not to receive Grenville again as his chief minister, disregarded the offer.

Such were the auspices when, on the thirteenth, Benjamin Franklin was summoned to the bar of the house of commons. The occasion found him full of hope and courage, having among his interrogators Grenville and Charles Townshend, and the house of commons for intent listeners. Choiseul, too, was sure to learn and to weigh all that Franklin should utter.

In answer to questions, Franklin declared that America could not pay the stamp-tax for want of gold and silver, and from want of post-roads and means of sending stamps back into the country; that there were in North America about three hundred thousand white men, from sixteen to sixty years of age; that the inhabitants of all the provinces together, taken at a medium, doubled in about twenty-five years; that their demand for British manufactures increased much faster; that in 1723 the whole importation from Britain to Pennsylvania was but about fifteen thousand pounds sterling, and had already become near half a million; that the exports from the province to Britain could not exceed forty thousand pounds; that the balance was paid from remittances to England for American produce, carried to our own islands or to the French, Spaniards, Danes, and Dutch in the West Indies, or to other colonies

in North America, or to different parts of Europe, as Spain, Portugal, and Italy; that these remittances were greatly interrupted by new regulations, and by the English men-of-war and cutters stationed all along the coast in America; that the last war was really a British war, commenced for the defence of a purely British trade and of territories of the crown, and yet the colonies contributed to its expenses beyond their proportion, the house of commons itself being the judge; that they were now imposing on themselves many and very heavy taxes, in part to discharge the debts and mortgages on all their taxes and estates then contracted; that if, among them all, Maryland, a single province, had not contributed its proportion, it was the fault of its government alone; that they had never refused, and were always willing and ready to do what could reasonably be expected from them; that, before 1763, they were of the best temper in the world towards Great Britain, and were governed at the expense only of a little pen, ink, and paper; they allowed the authority of parliament in laws, except such as should lay internal duties, and never disputed it in laying duties to regulate commerce; and considered that body as the great bulwark and security of their liberties and privileges; but that now their temper was much altered, and their respect for it lessened; and, if the act is not repealed, the consequence would be a total loss of the respect and affection they bore to this country, and of all the commerce that depended on that respect and affection.

"Do you think it right," asked Grenville, "that America should be protected by this country, and pay no part of the expense?" "That is not the case," answered Franklin; "the colonies raised, clothed, and paid during the last war twenty-five thousand men, and spent many millions." "Were you not reimbursed by parliament?" rejoined Grenville. "Only what, in your opinion," answered Franklin, "we had advanced beyond our proportion; and it was a very small part of what we spent. Pennsylvania, in particular, disbursed about five hundred thousand pounds; and the reimbursements, in the whole, did not exceed sixty thousand pounds." 1766. Feb.

"Do you think the people of America would submit to pay the stamp duty if it was moderated?" "No, never. They will never submit to it." And when the subject was brought up a second and a third time, and one of Grenville's ministry asked, "May not a military force carry the stamp act into execution?" Franklin answered: "Suppose a military force sent into America; they will find nobody in arms; what are they then to do? They cannot force a man to take stamps who chooses to do without them. They will not find a rebellion: they may, indeed, make one."

1766. Feb.

"How would the Americans receive a future tax, imposed on the same principle with that of the stamp act?" "Just as they do this; they would not pay it," was the answer. "What will be the opinion of the Americans on the resolutions of this house and the house of lords, asserting the right of parliament to tax the people there?" "They will think the resolutions unconstitutional and unjust." "How would they receive an internal regulation, connected with a tax?" "It would be objected to. When aids to the crown are wanted, they are, according to the old established usage, to be asked of the assemblies, who will, as they always have done, grant them freely. They think it extremely hard that a body in which they have no representatives should make a merit of giving and granting what is not its own, but theirs; and deprive them of a right which is the security of all their other rights." "Is not the post-office, which they have long received, a tax as well as a regulation?" interposed Grenville to Franklin, the deputy post-master for America; and Charles Townshend repeated the question. "No," replied Franklin, "the money paid for the postage of letters is merely a remuneration for a service done."

"But if the legislature should think fit to ascertain its right to lay taxes, by any act laying a small tax contrary to their opinion, would they submit to pay the tax?" "An internal tax, how small soever, laid by the legislature here on the people there, will never be submitted to. They will oppose it to the last." "The people," he made answer to

the same question under many forms, "will pay no internal tax by parliament."

"Is there any kind of difference," continued Grenville's ministry, "between external and internal taxes to the colony on which they may be laid?" "The people," argued Franklin, "may refuse commodities, of which the duty makes a part of the price; but an internal tax is forced from them without their consent. The stamp act says we shall have no commerce, make no exchange of property with each other, neither purchase nor grant, nor recover debts, nor marry, nor make our wills, unless we pay such and such sums; and thus it is intended to extort our money from us, or ruin us by the consequences of refusing to pay it." "But suppose the external duty to be laid on the necessaries of life?" continued Grenville's ministry. And Franklin amazed them by his true answer: "I do not know a single article imported into the northern colonies but what they can either do without or make themselves. The people will spin and work for themselves, in their own houses. In three years, there may be wool and manufactures enough." 1766. Feb.

"Does the distinction between internal and external taxes exist in the charter of Pennsylvania?" asked a friend of Grenville. "No," said Franklin, "I believe not." "Then," asked Charles Townshend, "may they not, by the same interpretation of their common rights as Englishmen, as declared by Magna Charta and the Petition of Right, object to the parliament's right of external taxation?" And Franklin answered instantly: "They never have hitherto. Many arguments have been lately used here to show them that there is no difference; and that, if you have no right to tax them internally, you have none to tax them externally, or make any other law to bind them. At present, they do not reason so; but, in time, they may be convinced by these arguments."

On the twentieth, while the newspapers of New York were that very morning reiterating the resolves of the Sons of Liberty, that they would venture their lives and fortunes to prevent the stamp act from taking place, that the safety

of the colonies depended on a firm union of the whole, the ministers, at a private meeting of their supporters, settled the resolutions of repeal which even Charles Townshend was present to accept, and which, as Burke believed, he intended to support by a speech.

1766. Feb.

Early the next day, every seat in the house of commons had been taken; between four and five hundred members attended. Pitt was ill, but his zeal was above disease. "I must get up to the house as I can," said he; "when in my place, I feel I am tolerably able to remain through the debate, and cry ay to the repeal with no sickly voice;" and, through the huzzas of the lobby, he hobbled into the house on crutches, swathed in flannels.

Conway moved for leave to bring in a bill for the repeal of the American stamp act. It had interrupted British commerce; jeoparded debts to British merchants; stopped one third of the manufactures of Manchester; increased the rates on land, by throwing thousands of poor out of employment. The act, too, breathed oppression. It annihilated juries, and gave vast power to the admiralty courts. The lawyers might decide in favor of the right to tax; but the conflict would ruin both countries. In three thousand miles of territory, the English had but five thousand troops, the Americans one hundred and fifty thousand fighting men. If they did not repeal the act, France and Spain would declare war, and protect the Americans. The colonies, too, would set up manufactories of their own. Why, then, risk the whole for so trifling an object?

Jenkinson, on the other side, moved a modification of the act; insisting that the total repeal, demanded as it was with menaces of resistance, would be the overthrow of British authority in America. In reply to Jenkinson, Edmund Burke spoke in a manner unusual in the house; connecting his argument with a new kind of political philosophy.

About eleven, Pitt rose. He conciliated the wavering by allowing good ground for their apprehensions, and, acknowledging his own perplexity in making an option between two ineligible alternatives, he pronounced for repeal, as due to the liberty of unrepresented subjects, and in gratitude

to their having supported England through three wars. He spoke with an eloquence which expressed conviction, and with a suavity of manner which could not offend even the warmest friends of the act.

"The total repeal," replied Grenville, "will persuade the colonies that Great Britain confesses itself without the right to impose taxes on them, and is reduced to make this confession by their menaces. Do the merchants insist that debts to the amount of three millions will be lost, and all fresh orders be countermanded? Do not injure yourselves from fear of injury; do not die from the fear of dying. With a little firmness, it will be easy to compel the colonists to obedience. America must learn that prayers are not to be brought to Cæsar through riot and sedition."

Between one and two o'clock on the morning of the twenty-second of February, the division took place. Only a few days before, Bedford had confidently predicted the defeat of the ministry. The king, the queen, the princess dowager, the Duke of York, Lord Bute, desired it. The scanty remains of the old tories; all the followers of Bedford and Grenville; the king's friends; every Scottish member except Sir Alexander Gilmore and George Dempster; Lord George Sackville; Oswald, Sackville's colleague as vice-treasurer for Ireland; Barrington, the paymaster of the navy, — were all known to be in the opposition.

The lobbies were crammed with upwards of three hundred men, representing the trading interests of the nation, trembling and anxious, and waiting to learn the resolution of the house. Presently it was announced that two hundred and seventy-five had voted for the repeal of the act, against one hundred and sixty-seven for softening and enforcing it. The roof of St. Stephen's rung with the long continued shouts and cheerings of the majority. 1766. Feb.

When the doors were thrown open, and Conway went forth, there was an involuntary burst of gratitude from the grave multitude which beset the avenues; they stopped him; they gathered round him as children round a parent, as captives round a deliverer. The pure-minded man enjoyed the triumph; and, while they thanked him, Edmund

Burke, who stood near him, declares that "his face was as if it had been the face of an angel." As Grenville moved along, swelling with rage and mortification, they pressed on him with hisses. But, when Pitt appeared, the crowd reverently pulled off their hats; and their applause touched him with tender and lively joy. Many followed his chair home with benedictions.

He felt no illness after his immense fatigue. It seemed as if what he saw and what he heard, the gratitude of a rescued people, and the gladness of thousands, now become his own, had restored him to health; but his heartfelt and solid delight was not perfect till he found himself in his own house, with the wife whom he loved, and the children for whom his fondness knew no restraint or bounds, and who all partook of the overflowing pride of their mother.

1766. Feb. This was the first great political lesson received by his second son, then not quite seven years old, the eager and impetuous William, who, flushed with patriotic feeling, rejoiced that he was not the eldest-born, but could serve his country in the house of commons, like his father.

At the palace, the king treated with great coolness all his servants who voted for the repeal. "We have been beaten," said Bedford to the French minister; "but we have made a gallant fight of it."

With the Scottish members, elected as they then were by a dependent tenantry, or in the boroughs by close corporations, the mind of Scotland was as much at variance as the intelligence of France with the monarchy of Louis XV. Adam Smith, at Glasgow, was teaching the youth of Scotland the natural right of industry to freedom; Reid was constructing a system of philosophy, based upon the freedom of the active powers of man; and now, at the relenting "of the house of commons concerning the stamp act," "I rejoice," said Robertson, the illustrious historian, "I rejoice, from my love of the human species, that a million of men in America have some chance of running the same great career which other free people have held before them. I do not apprehend revolution or independence sooner than these must and should come."

CHAPTER XXIV.

THE HOUSE OF LORDS GIVE WAY WITH PROTESTS. ROCKINGHAM'S ADMINISTRATION CONTINUED.

FEBRUARY—MAY, 1766.

THE heat of the battle was over. When the bill for the repeal was ordered to be brought in, Blackstone wished clauses to be inserted, that all American resolutions against the right of the legislature of Great Britain to tax America should be expunged; but this was rejected without a division. Wedderburn would have enacted, in substance, that it should be as high and mortal a crime to dispute the validity of the stamp act as to question the right of the house of Hanover to the British throne. 1766. Feb.

While he was enforcing his sanguinary amendment, nearly all the American colonies were in concert continuing to put a denial on the pretension, even at the risk of civil war. Canada, Nova Scotia, and the Floridas, which were military governments, had submitted; the rest of the continent was firm. Massachusetts, Rhode Island, and Maryland had opened their courts. From New York, the governor reported that "every one around him was an abettor of resistance." A merchant, who had signed a stamped bond for a Mediterranean pass, was obliged to stand forth publicly, and ask forgiveness before thousands. The people of Woodbridge, in New Jersey, recommended "the union of the provinces throughout the continent." Delegates from the Sons of Liberty in every town of Connecticut met at Hartford in convention, demonstrating by their example the facility with which America could organize independent governments; they declared for "perpetuating

the union" as the only security for liberty; and they named, in behalf of the colony, Colonel Israel Putnam, Major John Durkee, Captain Hugh Ledlie, and five others, their committee for that purpose. "A firm union of all the colonies," was the watchword of Rhode Island, adopted in a convention of the county of Providence; and it was resolved to oppose the stamp act, even if it should tend to "the destruction of the union" of America with Great Britain. At Boston, Joseph Warren, a young man whom nature had adorned with grace and manly beauty and a courage that bordered on rash audacity, uttered the new war-cry of the world, "FREEDOM AND EQUALITY." "Death," said
1766. Feb. he, "with all its tortures, is preferable to slavery." "The thought of independence," said Hutchinson, despondingly, "has entered the heart of America."

Virginia had kindled the flame; Virginia had now the honor, by the hand of one of her sons, to close the discussion, embodying authoritatively, in calm and dignified though in somewhat pedantic language, the sentiments which the contest had ripened. It was Richard Bland, of the Ancient Dominion, who, through the press, claimed for America freedom from all parliamentary legislation, and pointed to independence as the remedy for a refusal of redress.

He derived the English constitution from Anglo-Saxon principles of the most perfect equality, which invested every freeman with a right to vote at the election of members of parliament. "If," said he, "nine tenths of the people of Britain are deprived of the high privilege of being electors, it would be a work worthy of the best patriotic spirits of the nation to restore the constitution to its pristine perfection." From the venality of present parliament, he appealed to "the law of nature, and those rights of mankind which flow from it. The acts of trade of Charles II., the Virginia patriot impugned as contrary to nature, equal freedom, and justice, as well as to charters and express contracts; nor would he admit them to be cited as valid precedents.

"The colonies," said he, "are not represented in parlia-

ment; consequently no new law made without the concurrence of their representatives can bind them: every act of parliament that imposes internal taxes upon the colonies is an act of power, and not of right; and power abstracted from right cannot give a just title to dominion. Whenever I have strength, I may renew my claim; or my son, or his son may, when able, recover the natural right of his ancestor. I am speaking of the rights of the people: rights imply equality in the instances to which they belong. The colonies are subordinate to the authority of parliament in degree, not absolutely. Every colony, when treated with injury and violence, is become an alien to its mother state. Oppression has produced very great and unexpected events. The Helvetic confederacy, the states of the United Netherlands, are instances in the annals of Europe of the glorious actions a petty people, in comparison, can perform, when united in the cause of liberty."

At that time, Louis XV. was setting his heel on the parliaments of France, the courts of justice which alone offered barriers to his will. "In me," said he to them on the second of March, "it is in me alone that the sovereign power resides. Justice is done only in my name, and the fulness of judicial authority remains always in me. To me alone belongs the legislative power, irresponsible and undivided. Public order emanates entirely from me. The people and I are one." Against this, the people could have but one rallying cry, "Freedom and Equality;" and America taught the utterance of the powerful words. 1766. March.

On the fourth came on the last reading of the bill declaratory of the absolute power of parliament to bind America, as well as that for the repeal of the stamp act. Pitt moved to leave out the claim of right in all cases whatsoever, and reaffirmed and defended his opinion, that the parliament had no right to tax America while unrepresented. He never gave his dissent to a question with more dislike than he then gave it. The amendment was rejected; and henceforward America would have to resist in the parliament of England, as France in its king, a claim of absolute, irresponsible, legislative power.

The final debate on the repeal ensued. Grenville and his party still combated eagerly and obstinately. "I doubt," said Pitt, who that night spoke most pleasingly, "I doubt if there could have been found a minister who would have dared to dip the royal ermine in the blood of the Americans." "No, sir," replied Grenville, with personal bitterness, "not dip the royal ermine in blood, but I am one who declare, if the tax was to be laid again, I would do it; and I would do it now, if I had to choose; it becomes doubly necessary, since *he* has exerted all his eloquence so dangerously against it." Every one felt that Pitt would soon be at the head of affairs. He had never commanded more respect than now. He had spoken throughout the winter with the dignity of conscious pre-eminence, and had fascinated his audience; and, being himself of no party, he had no party banded against him. At midnight, the question was disposed of by a vote of two hundred and fifty against one hundred and twenty-two. The Rockingham ministry sanctioned the principles of Grenville, and adopted, half-way, the policy of Pitt. On the next day, Conway, and more than one hundred and fifty members of the house of commons, carried the bill up to the house of lords, where Temple and Lyttelton did not suffer it to receive its first reading without debate.

1766. March.

On the seventh, the declaratory bill was to have its second reading. "My lords, when I spoke last on this subject," said Camden, opposing the bill altogether, "I was indeed replied to, but not answered. As the affair is of the utmost importance, and its consequences may involve the fate of kingdoms, I took the strictest review of my arguments; I re-examined all my authorities, fully determined, if I found myself mistaken, publicly to own my mistake, and give up my opinion; but my searches have more and more convinced me that the British parliament have no right to tax the Americans.

"The declaratory bill, now lying on your table, is absolutely illegal; contrary to the fundamental laws of nature; contrary to the fundamental laws of this constitution, — a constitution grounded on the eternal and immutable laws

of nature; a constitution, whose foundation and centre is liberty, which sends liberty to every subject that is, or may happen to be, within any part of its ample circumference. Nor, my lords, is the doctrine new; it is as old as the constitution; it grew up with it; indeed, it is its support: taxation and representation are inseparably united; God hath joined them; no British parliament can separate them; to endeavor to do it is to stab our very vitals. My position is this; I repeat it; I will maintain it to my last hour: taxation and representation are inseparable. Whatever is a man's own is absolutely his own; no man hath a right to take it from him without his consent, either expressed by himself or his representative; whoever attempts to do it attempts an injury; whoever does it commits a robbery.

"Taxation and representation are coeval with, and essential to, this constitution. I wish the maxim of Machiavel was followed, that of examining a constitution, at certain periods, according to its first principles; this would correct abuses and supply defects. I wish the times would bear it, and that men's minds were cool enough to enter upon such a task, and that the representative authority of this kingdom was more equally settled."

The reform of the house of commons, for which one of the highest judicial officers of England, in the house of lords, uttered a prayer, was needed; for in Great Britain, with perhaps, at that time, eight millions of inhabitants, less than ten thousand, or, as some thought, less than six thousand persons, many of whom were humbled by dependence or debauched by corruption, elected a majority of the house of commons, and the powers of government were actually sequestered into the hands of about two hundred men. Yet Camden mistook the true nature of representation, which he considered to be not of persons, but of property. 1766. March.

The speech printed in the following year found an audience in America; but, in the house of lords, Mansfield compared it to words spoken in Nova Zembla, which are said to be frozen for a month before anybody can get at their meaning; and then, with the loud applause of the

peers, he proceeded to insist that the stamp act was a just assertion of the proposition that the parliament of Great Britain has a right to tax the subjects of Great Britain in all the dominions of Great Britain in America. But, as to the merits of the bill which the house of commons had passed to ascertain the right of England over America, he treated it with scorn, as an absurdity from beginning to end, containing many falsehoods, and rendering the legislature ridiculous and contemptible. "It is," said he, "a humiliation of the British legislature to pass an act merely to annul the resolutions of a lower house of assembly in Virginia." "It is only assertion against assertion; and whether it rests in mere declaration, or is thrown into the form of a law, it is still a claim by one only, from which the other dissents; and, having first denied the claim, it will very consistently pay as little regard to an act of the same authority."

Yet the bill was passed, with its two clauses: the one affirming the authority of parliament over America, in all cases whatsoever; and the other declaring the opposite resolutions of the American assemblies to be null and void.

On the eleventh, the bill for the repeal of the stamp act was read a second time. The house of lords was so full on the occasion that strangers were not admitted. Ten peers spoke against the repeal, and the lords sat between eleven and twelve hours, which was later than ever was remembered. Once more Mansfield and Camden exerted all their powers on opposite sides; while Temple indulged in personalities, aimed at Camden. The Duke of Bedford closed the debate, and the house of lords divided. For subduing the colonies, if need be, by sword or fire, there appeared sixty-one, including the Duke of York and several of the bishops; in favor of the repeal, there were seventy-three; but, adding the voices of those absent peers who voted by proxy, the ministry prevailed by one hundred and five against seventy-one. Northington, than whom no one had been more vociferous that the Americans must submit, voted for the repeal, pleading his unwillingness to act on such a question against the house of commons.

1766. March.

Immediately, the protest which Lyttelton had prepared

against committing the bill was produced, and signed by thirty-three peers, with Bedford at their head. Against the total repeal of the stamp act, it maintained that such a strange and unheard-of submission of king, lords, and commons to a successful insurrection of the colonies would make the authority of Great Britain contemptible; that the reason assigned for their disobeying the stamp act extended to all other laws, and, if admitted, must set them absolutely free from obedience to the power of the British legislature; that any endeavor to enforce it hereafter, against their will, would bring on the contest for their total independence, rendered, perhaps, more dangerous and formidable from the circumstances of the other powers of Europe; that the power of taxation, to be impartially exercised, must extend to all the members of the state; that the North American colonies, "our colonies," as they were called by the discontented lords, were able to share the expenses of the army, now maintained in them at the vast expense of almost a shilling in the pound land-tax, annually remitted from England for their special protection; that parliament was the only supreme legislature and common council empowered to act for all; that its laying a general tax on the American colonies was not only right, but expedient and necessary; that it was "a most indispensable duty to ease the gentry and people of this kingdom, as much as possible, by the due exertion of that great right of taxation without an exemption of the colonies."

Having thus placed themselves in direct and irreconcilable hostility to America, the protesting peers glanced with jealousy at the immense majority of the people of England; and further opposed the repeal of the stamp act, "because," say they, "this concession tends to throw the whole British empire into a state of confusion, as the plea of our North American colonies, of not being represented in the parliament of Great Britain, may, by the same reasoning, be extended to all persons in this island who do not actually vote for members of parliament." 1766. March.

Such was the famous Bedford protest, to which a larger number of peers than had ever before signed a protest

hastened in that midnight hour to set their names. Among them were four in lawn sleeves. It is the deliberate manifesto of the party which was soon to prevail in the cabinet and in parliament, and to rule England for two generations. It is the declaration of the new tory party in favor of the English constitution as it was, against any countenance to the extension of suffrage, the reform of parliament, and the effective exercise of private judgment. It is the modern form of an ancient doctrine. Oxford had said unconditional obedience to the king was the badge of loyalty; this protest substituted unconditional obedience to the legislature of the realm, as constituted in 1688. The first had, in the spirit of the mediæval monarchy, derived the right to the throne from God; the second, resting on principles that had grown up in opposition to the old legitimacy, deified established law, and sought to bind its own and coming ages by statutes which were but the wisdom of less enlightened generations that had long slumbered in their graves.

1766. March. On the seventeenth, the bill passed without a further division; but a second protest, containing a vigorous defence of the policy of Grenville, and breathing in every line the sanguinary desire to enforce the stamp act, was introduced by Temple, and signed by eight-and-twenty peers. Five of the bench of bishops were found ready, in the hour of conciliation, to record solemnly on the journals of the house their unrelenting enmity to measures of peace. Nor was the apprehension of a great change in the fundamental principles of the constitution concealed. "If we pass this bill against our opinion," they said, meaning to assert, and with truth, that it was so passed, "if we give our consent to it here, without a full conviction that it is right, merely because it has passed the other house, by declining to do our duty on the most important occasion which can ever present itself, and when our interposition, for many obvious reasons," alluding to the known opinion of the king, "would be peculiarly proper, we in effect annihilate this branch of the legislature, and vote ourselves useless." The people of England had once adopted that opinion. It was certain that the people of America were already convinced that the

house of lords had outlived its functions, and was for them become worse than "useless."

On the morning of the eighteenth day, the king went in state to Westminster, and gave his assent, among other bills, to what, ever after, he regarded as the well-spring of all his sorrows, "the fatal repeal of the stamp act." He returned from signing the repeal amid the shouts and huzzas of the applauding multitude. There was a public dinner of the friends of America in honor of the event; Bow bells were set a-ringing; and the ships on the Thames displayed all their colors. At night, a bonfire was kindled, and houses were illuminated all over the city. An express was despatched to Falmouth with letters to different provinces, to transmit the news of the repeal as rapidly as possible to the colonies; nor was it at that time noticed that the ministry had carried through the mutiny bill, with the obnoxious American clauses of the last year; and that the king, in giving his assent to the repeal of the stamp act, had also given his assent to the act declaratory of the supreme power of parliament over America, in all cases whatsoever. 1766. March.

While swift vessels hurried with the news across the Atlantic, the cider act was modified by the ministry, with the aid of Pitt; general warrants were declared illegal; and Edmund Burke, already famed for "most shining talents" and "sanguine friendship for America," was consulting merchants and manufacturers on the means of improving and extending the commerce of the whole empire. When Grenville, madly in earnest, deprecated any change in "the sacred act of navigation," Burke ridiculed him for holding any act sacred, if it wanted correction. Free ports were therefore established in Jamaica and in Dominica, which meant only that British ports were licensed to infringe the acts of navigation of other powers. Old duties, among them the plantation duties, which had stood on the statute-book from the time of Charles II., were modified; and changes were made in points of detail, though not in principle. The duty on molasses imported into the plantations was fixed at a penny a gallon; that on British coffee, at seven shillings the hun- April.

dred weight; on British pimento, one half-penny a pound; on foreign cambric or French lawn, three shillings the piece, to be paid into the exchequer, and disposed of by parliament. The act of navigation was purposely so far sharpened as to prohibit landing non-enumerated goods in Ireland. Under instructions given by the former administration, the governor of Grenada claimed to rule the island by prerogative; and Sir Hugh Palliser, at Newfoundland, arrogated the monopoly of the fisheries to Great Britain and Ireland.

1766. April.

Great Britain not only gave up the stamp-tax, but defrayed the expenses of the experiment out of its sinking fund. The treasury asked what was to be done with the stamps in those colonies where the stamp act had not taken place; and they were ordered to be returned to England, where the curious traveller may still see bags of them, cumbering the office from which they were issued.

A change of ministry was more and more spoken of. The nation demanded to see Pitt in the government; and two of the ablest members of the cabinet, Grafton and Conway, continued to insist upon it. But Rockingham, who, during the repeal of the stamp act, had been dumb, leaving the brunt of the battle to be borne by Camden and Shelburne, was determined it should not be so; and Newcastle and Winchelsea and Egmont concurred with him. To be prepared for the change, and in the hope of becoming, under the new administration, secretary for the colonies, Charles Townshend assiduously courted the Duke of Grafton. Pitt, on retiring to recruit the health which his unparalleled exertions in the winter had utterly subverted, made a farewell speech, his last in the house of commons, wishing that faction might cease, and avowing his own purpose of remaining independent of any personal connections whatsoever.

The joy of the colonies was, for a time, unmixed with apprehension. Virginia voted a statue to the king, and an obelisk on which were to be engraved the names of those who, in England, had signalized themselves for freedom. "My thanks they shall have cordially," said Washington, "for



their opposition to any act of oppression." The consequences of enforcing the stamp act, he was convinced, "would have been more direful than usually apprehended."

Otis, at a meeting at the town hall in Boston, to fix a time for the rejoicings, told the people that the distinction between inland taxes and port duties was without foundation; for whoever had a right to impose the one had a right to impose the other; and, therefore, as the parliament had given up the one, they had given up the other; and the merchants were fools if they submitted any longer to the laws restraining their trade, which ought to be free.

A bright day in May was set apart for the display of the public gladness, and the spot where resistance to the stamp act began was the centre of attraction. At one in the morning, the bell nearest Liberty Tree was the first to be rung; at dawn, colors and pendants rose over the house-tops all around it; and the steeple of the nearest meeting-house was hung with banners. During the day, all prisoners for debt were released by subscription. In the evening, the town shone as though night had not come; an obelisk on the common was brilliant with a loyal inscription; the houses round Liberty Tree exhibited illuminated figures of the king, of Pitt and Camden and Barré; and Liberty Tree itself was decorated with lanterns, till its boughs could hold no more. 1766. May.

All the wisest agreed that disastrous consequences would have ensued from the attempt to enforce the act, so that never was there a more rapid transition of a people from gloom to transport. They compared themselves to a bird escaped from the net of the fowler, and once more striking its wings in the upper air; or to Joseph, the Israelite, whom Providence had likewise wonderfully redeemed from the perpetual bondage into which he was sold by his elder brethren.

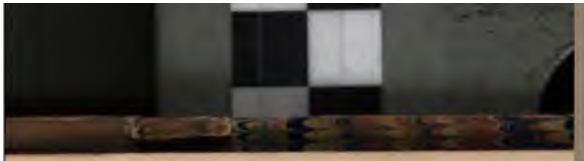
The clergy from the pulpit joined in the fervor of patriotism and the joy of success. "The Americans would not have submitted," said Chauncy. "History affords few examples of a more general, generous, and just sense of liberty in any country than has appeared in America within the year

past." Such were Mayhew's words; and, while all the continent was calling out and cherishing the name of Pitt, the greatest statesman of England, the conqueror of Canada and the Ohio, the founder of empire, the apostle of freedom, "the genius and guardian of Britain and British America," "To you," said Mayhew, speaking from the heart of the people, and as if its voice could be heard across the ocean, "to you grateful America attributes that she is reinstated in her former liberties. The universal joy of America, blessing you as our father, and sending up ardent vows to Heaven for you, must give you a sublime and truly godlike pleasure; it might, perhaps, give you vigor to take up your bed and walk, like those cured by the word of Him who came from heaven to make us free indeed. America calls you over and over again her father; live long in health, happiness, and honor. Be it late when you must cease to plead the cause of liberty on earth."

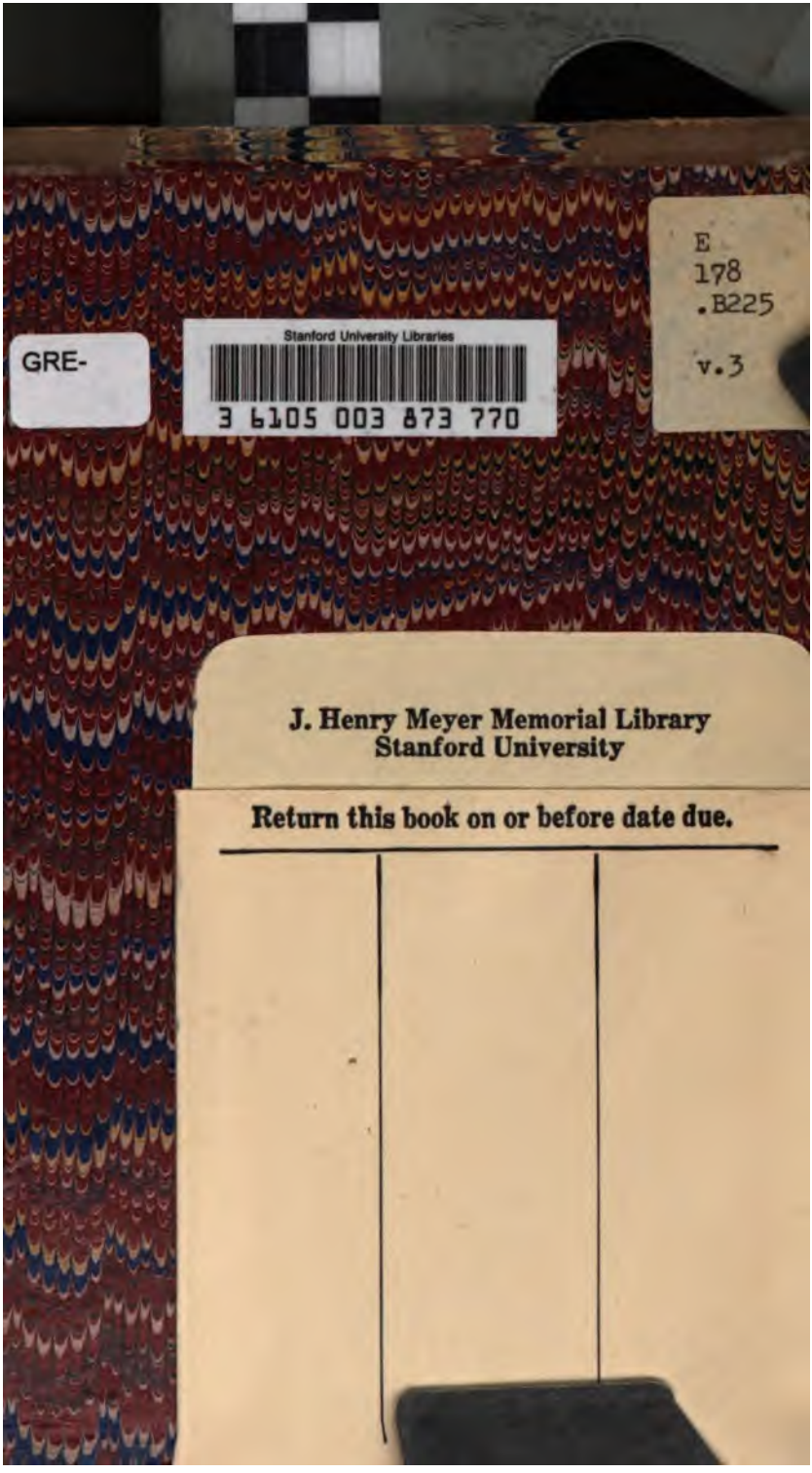
1766. May.

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